

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9372 of 2020

Arising Out of PS. Case No.-15 Year-2019 Thana- BIHARSHARIF RAIL P.S. District- Patna

SUNAINA DEVI Wife of Late Chhote Bind @ Chhotelal Prasad Resident of
Village - Pathara Tilha (Silao), P.S.- Nalanda, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mr. Shashank Shekhar
For the Opposite Party/s	:	Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 02-06-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Rail Biharsharif (Rajgir) P.S. Case No. 15 of 2019, disclosing offence punishable under Sections 302, 201/34 of the Indian Penal Code.

The FIR has been registered on the basis of written report of the informant, who is the son of the deceased. The deceased was found dead on a railway track and it is evident from the FIR that a suicide note was recovered from his pocket indicating his amorous relationship with the petitioner and about the petitioner blackmailing him variously. Informant has, however, suspected in his written report that his father might have been killed and the so called suicide note might have been planted after killing him.

Mr. Ajay Kumar Thakur, learned counsel appearing



on behalf of the petitioner has submitted that her name has surfaced only on the basis of the said suicide note recovered from the place of occurrence and there is absolutely no material collected in course of investigation to show that the petitioner was, in any way, involved in commission of offence punishable under Section 302 of the IPC. Over and above suspicion, there is no material against the petitioner, he has argued.

On perusal of the case diary, which has been received by this Court, I am *prima facie*, satisfied with the submission advanced on behalf of the petitioner. The petitioner is in custody since 09.11.2019.

Considering the facts and circumstances and the submissions made on behalf of the petitioner, as noted above, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Judicial Magistrate, Railway, Patna in Rail Bihar Sharif (Rajgir) P.S. Case No. 15 of 2019.

(Chakradhari Sharan Singh, J)

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