

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33608 of 2020

Arising Out of PS. Case No.-352 Year-2018 Thana- JHAJHA District- Jamui

POONAM DEVI (Female), aged about 38 years, W/o Late Vijay Kumar Singh, Resident of Village- Railway Quarter No.336, P.S.- Jhajha, Distt- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar Sinha, Advocate.
For the Opposite Party : Mr. Dr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302 and 120(B)/34 of the I.P.C.

The prosecution story, in brief, is that the deceased was called by co-accused Thomas Hembram @ Bablu and,



thereafter, his dead body was found and the informant suspects the hands of other accused persons, who have killed the deceased in collusion with co-accused Thomas Hembram @ Bablu.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 15.10.2018. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. Her name has come in the present case on the basis of confessional statement of co-accused Thomas Hembram @ Bablu. Except for the confessional statement of co-accused, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence. There is no circumstantial evidence to suggest the participation of the petitioner in the present case. Other co-accused, Thomas Hembram @ Bablu has already been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 21985 of 2019 under order dated 22.05.2019, annexed as Annexure-2 to the present application.

On behalf of the learned counsel for the State, it has



been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned F.T.C. II, Jamui, in connection with Jhajha P.S. Case No. 352/2018 (S.T. No. 106/2019).

(Sudhir Singh, J)

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