

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10292 of 2020

Arising Out of PS. Case No.-266 Year-2019 Thana- PATEPUR District- Vaishali

LALMUNI DEVI, (Female), aged about 50 years, Wife of Bhola Ram,
Resident of Village - Sadipur Dumara, P.S.- Mahua, Distt - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Manish Chandra Gandhi, Advocate.
For the Opposite Party : Mr.Mukeshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-06-2020 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.

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

The petitioner seeks bail in a case registered for the
offences under Sections 302, 201, 120(B)/34 of the I.P.C. and 27
of the Arms Act.

The prosecution case, in short, is that on 12.10.2019
when Nutan Kumari (deceased) having a five years old son was
going to School to drop her son, three Motorcycle borne persons
pumped bullets in her head and she died on the spot. It is further
alleged that Akhilesh Ram solemnized love marriage with the



deceased Nutan Kumari eight years before due to which, a son Nishant Kumar took birth. Since four years, Akhilesh Ram and his mother driven her out of her matrimonial house. With the help of the villagers, one thatched house had been constructed where she alongwith her son used to reside. A case was going on between the deceased and the petitioner in the court and its judgment was about to be delivered on the alleged date of occurrence. It is alleged that Akhilesh Ram and his mother Munilal Devi (petitioner) got her killed.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.10.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is named in the F.I.R. merely on the basis of suspicion. The informant is not an eye witness to the alleged occurrence. Except for suspicion, There is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner is a lady. She happens to be the mother-in-law of the deceased. She is separate in mess and property from the husband of the deceased. She has got no concern with the alleged occurrence.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on her personal bond to the satisfaction of learned A.C.J.M.-XIV, Vaishali at Hajipur, in connection with Patepur P.S. Case No. 266 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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