

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.11593 of 2020**

Arising Out of PS. Case No.-159 Year-2019 Thana- KASIMBAZAR District- Munger

RANI KUMARI GUPTA Wife of Late Sumit Gupta Resident of Village /
Muhalla - Mohaddipur, P.S.- Kasim Bazar, District- Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 09-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking regular bail

in connection with Kasim Bazar P.S. Case No. 159 of 2019

registered for the offences punishable under Section 302 of the

Indian Penal Code.

Learned counsel for the petitioner submits that this

petitioner happened to be the informant of this case. She is the

wife of the deceased and though the case was registered under

Section 302 IPC, after investigation Police has submitted a

chargesheet under Section 306 IPC only. It is further submitted

that in the case diary the witnesses who are the family members of



the deceased have stated that because of the matrimonial disputes sometimes the deceased was making his mind to commit suicide. It has submitted that the petitioner has given birth to a female child who is also living with the petitioner inside the jail.

Learned APP for the State has opposed the prayer for regular bail of the petitioner. It is submitted that because of the matrimonial dispute and the situation created by this petitioner, her husband seems to have committed suicide.

Considering the facts and circumstances of the case wherein it appears from the statement of the witnesses in the case diary the husband of the petitioner committed suicide on account of certain matrimonial disputes and he was in fact making his mind to commit suicide, the petitioner has remained in custody for six months, investigation against her is complete and there is no submission on behalf of the State that the release of the petitioner at this stage is in any way likely to adversely affect the course of trial, let the petitioner above named be released on bail in connection with Kasim Bazar P.S. Case No. 159 of 2019 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction learned Chief Judicial Magistrate, Munger, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that she will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

