

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19596 of 2020

Arising Out of PS. Case No.-275 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

SANGITA DEVI W/o Shankar Kumar @ Shankar Singh R/o Village-
Kendua, P.S.- Muffasil, Distt- Nawada.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate.

For the State : Dr. Mrityunjaya Kr.Gautam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 20-10-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application, through Video Conferencing, that he would remove the defect(s), as pointed out by the Stamp Reporter (flagged at 'A'), within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Muffasil P.S. Case No.275 of 2019 registered under Sections 341, 323, 302, 201 and 120(B) of the Indian Penal Code.

The accusation is that on 14.09.2019 at about 11.00 P.M., Sakaldeep Kumar, the brother of the informant Dilip



Kumar, along with his cousin Rajeev Kumar came to his house from his wooden shop and after taking the dinner, he went to his shop to sleep. Thereafter, Sakaldeep Kumar, the brother of the informant, moved from there informing his younger brother Laljeet Kumar that Sangita Devi (petitioner) has called him on phone. On the next day, i.e., 15.09.2019, rumour was spread about lying of the dead body behind the house of Brijnandan Ramani alias Gerulal. Thereafter, the informant along with others reached there and saw the dead body of his brother Sakaldeep Kumar sustaining grievous injury. The informant raised suspicion that, under conspiracy, this petitioner along with other F.I.R. named accused committed the murder of his brother Sakaldeep Kumar.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that none had seen the occurrence. While it is alleged in the F.I.R. that the petitioner had called on phone to the deceased Sakaldeep Kumar, the brother of the informant, but it would appear from paragraph-46 of the case diary that the petitioner did not talk to the deceased on mobile rather the deceased himself had talked on the mobile with his friend. The petitioner, who is lady, has falsely been implicated in this case on mere suspicion and she is



in custody since 27.01.2020. On investigation, the police has already submitted the charge-sheet against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada, in connection with Muffasil P.S. Case No.275 of 2019.

(Rajendra Kumar Mishra, J)

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