

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20076 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- PATNA GRP CASE District- Patna

Ukha Devi @ Ukha Kumari @ Priyanka Kumari Wife of Binod Rai Resident
of Village - Jethali, P.S.- Nadi, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shyam Kuamr

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Patna
Junction Rail P.S. Case No. 1 of 2020 registered under Sections
302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the
name of the petitioner has been mentioned in the FIR as an
accused merely on suspicion. There is no admissible evidence
against her. Even during investigation, the only material which
the police could collect against the petitioner is her confessional
statement and the confessional statement of co-accused before
the police. Save and except the confession, there is nothing to
suggest that the petitioner being a lady whose pregnancy is at an
advanced stage had participated in any manner in the
commission of killing of the informant's brother.



Learned counsel for the State has opposed the prayer for grant of bail to the petitioner. He submitted that the petitioner conspired together with others and eliminated the brother of the informant and she also tried to conceal the evidence. He contended that from the order impugned it would be evident that the petitioner has confessed her guilt before the police and apart from her confessional statement, confessional statement of the co-accused has been recorded by the police during investigation which clearly involves the petitioner as one of the conspirators in commission of the crime.

Regard being had to the facts and circumstances of the case, the submissions advanced on behalf of the parties, materials available on record, as also that the petitioner is a pregnant lady and the necessity of decongestion in jail due to extra-ordinary situation arising out of COVID-19, she 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 learned Railway Judicial Magistrate, Patna in connection with Patna Junction Rail P.S. Case No. 1 of 2020.

(Ashwani Kumar Singh, J)

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