

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21899 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- ALAMNAGAR District- Madhepura

SEEMA DEVI @ SEEMA KUMARI Wife of Amit Mandal Resident of
Village- Bishpatti, P.S.- Alam Nagar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Prem Kumar Jha, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Alam Nagar P.S. Case No. 22 of 2020 for the offence punishable under Sections 302, 201 and 120(B) of the Indian Penal Code.

The case of the prosecution in brief is that on 15.01.2020 at about 4:30 P.M. in the evening the brother of the informant namely Ganesh Kumar had gone to drop the sister-in-law of one Pinku Mandal on his motorcycle at village Bispatti upon several request made by the Pinku Mandal, however,



subsequently he did not return back, whereafter the informant and other family members had search for him and they came to know that one dead body was lying near the bridge over the canal whereupon the informant and others had reached there and had found that the brother of the informant had been killed by squeezing his neck. It has been alleged that the brother of the informant has been killed by the accused persons including the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 21.01.2020. It is further submitted that the petitioner is a lady and has been falsely implicated in the present case merely on suspicion though she has not been named in the FIR.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case dairy, I am of the view that benefit of doubt can be given to the petitioner herein inasmuch as miniscule evidence is



available as against the petitioner herein, in the case dairy.

Accordingly, I deem it fit and proper to direct for release of the petitioner on regular bail, however, it is made clear that grant of bail to the petitioner shall not be considered to be a precedent as far as the case of the other accused persons are concerned since the present order is being passed in the peculiar facts and circumstances of the petitioner herein.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Uda Kishunganj, Madhepura in connection with Alam Nagar P.S. Case No. 22 of 2020.

(Mohit Kumar Shah, J)

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