

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23217 of 2020

Arising Out of PS. Case No.-239 Year-2019 Thana- VISHNUPAD District- Gaya

NEELU DEVI, aged about 36 years, Wife of Manoj Prasad @ Manoj Kumar Verma, Resident of Mohalla-Brahmani Ghat, Police Station-Vishnupad, District-Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Indrajesh Kumar, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2020 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.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

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

The petitioner is apprehending her arrest in a case for the offence registered under Sections 306/34 of the I.P.C.

The prosecution story, in brief, is that the son of the informant, namely, Alok Kumar was being cheated by Neelu



Devi (petitioner) and her husband, namely, Manoj Kumar Verma. They always used to call her son in their house and extorted huge amount of money from him. Her son was entangled with Neelu Devi (petitioner) and all of his earning was given by her son to Neelu Devi (petitioner). This fact was known to all residents of that Mohalla. She tried her best to break his relation with Neelu Devi (petitioner) but her son Alok Kumar always avoid the matter telling that he will die. On 05.12.2019 at about 9.00 O'clock in the morning, her elder son informed her that his younger brother Alok Kumar committed suicide hanging himself with *Fan*. It has further been alleged that her son committed suicide at the abatement of Neelu Devi and her husband Manoj Kumar Verma.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. At the time of institution of F.I.R., no suicidal note of the deceased was ever produced and at the very belated stage the suicidal note was produced by the informant. The suicidal note of the deceased has been disputed by the petitioner. The petitioner had no physical relation or any



emotional relation with the deceased. The suicidal note does not indicate that the petitioner used to extort money from the deceased. On the point of motive, there is contradiction between the suicidal note and the F.I.R. The petitioner is a lady. There is no any substantive evidence to suggest that the petitioner is an abettor.

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, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Vishnupad P.S. Case No. 239 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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