

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56226 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- PRATAPGANJ District- Supaul

SANGEETA DEVI W/o Sanjay Yadav, R/o village-Belhi, P.S. Pratapganj,
District-Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 20-02-2020 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Pratapganj P.S. Case No.30 of 2019 registered for the offences
punishable under sections 364 and 34 of the Indian Penal Code
to which subsequently sections 302 and 201 of the Indian Penal
Code were added.

As per allegation in the F.I.R., the married daughter of
the informant along with her son, who was living with the
informant, is said to have gone with one Sanjay Yadav, the
husband of the petitioner herein. It is further stated that said
Sanjay Yadav along with his wife, mother, father, brother and
bhabhi used to abuse and beat up the informant's daughter and
her son. In course of investigation, it further transpires that



daughter's son of the informant had been done to death and his dead body was recovered. However, in the postmortem report, the opinion with respect to cause of death was kept reserved awaiting the report of chemical analysis from Forensic Science Laboratory, Patna.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R., the main allegation is against one Sanjay Yadav. This petitioner has been implicated only for the reason that she happens to be the first wife of said Sanjay Yadav. Admittedly, the informant is not an eyewitness to the occurrence. Further there is no evidence against the petitioner in the case diary except the confessional statement of Sanjay Yadav made in course of investigation before the police. It is further submitted that the petitioner is a lady, having no criminal antecedent and the brother of Sanjay Yadav namely Bishnudeo Yadav has been enlarged on regular bail vide order dated 13.09.2019 passed in Cr. Misc. No.41447 of 2019.

It is submitted by learned counsel for the informant that the petitioner is named in the F.I.R. and there is direct allegation against her. Further, in course of investigation, said Sanjay Yadav, husband of the petitioner herein has confessed that all the accused persons killed the daughter of the informant



and her son. It is further stated that the daughter of the informant is still traceless.

Having heard the learned counsel for the parties and taking into consideration that the main allegation in the F.I.R. is against Sanjay Yadav, who is said to be in judicial custody, grant of bail to the brother of said Sanjay Yadav as also the fact that this petitioner happens to be a lady and nothing material has come against her in course of investigation, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of her arrest or surrender in the Court below within a period of six weeks from today in connection with Pratapganj P.S. Case No.30 of 2019 is directed to be enlarged 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 S.D.J.M., Birpur, Supaul, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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