

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12182 of 2021

Arising Out of PS. Case No.-103 Year-2019 Thana- ALINAGAR District- Darbhanga

Bucchani Devi @ Bucchi Devi W/O Sibbu Mukhiya Resident Of Village -
Nanhakar, P.S.-Alinagar, Dist.-0 Darbhanga.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section and other ancillary sections of the Indian Penal Code.

As per the prosecution case, informant's husband had illicit relation with his elder sister-in-law, namely, Bina Devi (petitioner no.2) and the deceased used to visit the village home regularly on every week. On the fateful day, the deceased had gone to the village where he was strangled and hanged by rope on the tree.

Earlier prayer for bail of the petitioner has been refused by this Court vide order dated 25.9.2020. Learned counsel for the petitioner submits that subsequently similarly situated co-accused have already been allowed bail by a co-ordinate bench



of this Court vide order dated 18.3.2020, passed in Cr.Misc.No. 83039 of 2019. Learned counsel for the petitioner further submits that the petitioner is family member and she used to visit the village regularly and on that day, on account of social boycott, the deceased had committed suicide. Petitioner is in custody since 22.10.2019.

Learned counsel for the State submits that the witnesses have supported the prosecution story and also post mortem report corroborates the allegation made in the FIR and the CDR of the mobile phone of the deceased shows that she was in the village where informant's husband was strangled.

Considering the rival submissions of the parties, materials available on the record and the fact that similarly situated co-accused has already been allowed bail, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Benipur in Alinagar Police Station Case No. 103/2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court



and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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