

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13504 of 2021

Arising Out of PS. Case No.-101 Year-2020 Thana- KATRA District- Muzaffarpur

Shamo Devi Wife Of Rajdev Das Resident Of Village- Anyay Pur, P.S.- Katra,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sharmeela Devi Wife of Sitaram Choupal Resident of Village- Katasa, P.S.-
Sinha Vada, District- Darbhanga.
3. Raju Choupal Son of Sitaram Choupal Resident of Village- Katasa, P.S.-
Sinha Vada, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1
For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-08-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Katra P.S. Case
No. 101 of 2020 registered for the offence punishable under Section
302/34 of the Indian Penal Code.

As per the prosecution case, informant *Ashok Paswan*,
(Chaukidar) had got information that wife of *Shambhu Chaupal* was
killed by strangulation. After informing senior police officials



informant reached at the house of *Shambhu Chaupal* where he found dead body of the deceased lying on the verandah and all family members were absconded from the place of occurrence. During the course of investigation informant found that husband of the deceased used to live outside and deceased was killed by petitioner and other family members due to some domestic dispute.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that according to the F.I.R. *Chaukidar* is the informant and as per his statement, occurrence has been took place on 30.04.2020 and the information was given to police on 03.05.2020 and there in no explanation for the said delay. He further submits that version of the informant does not support the *post mortem* report which clearly stated that death is due to hanging. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner is a lady having no criminal antecedent as has been mentioned in para 3 of the present petition and she is languishing in custody since 04.05.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor Court in connection with Katra P.S.



Case No. 101 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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