

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.25206 of 2021**

Arising Out of PS. Case No.-239 Year-2018 Thana- SAHEBPUR KAMAL District-  
Begusarai

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NUTAN DEVI, W/o Arvind Yadav, Resident of Village- Sadpur, P.S.-  
Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Binod Kumar, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

2      28-10-2021                      Heard learned counsel for the petitioner and learned  
APP for the State.

Learned counsel for the petitioner undertakes to  
remove the defects as pointed out by the office within four  
weeks of normal functioning of the court, failing which the  
office is directed to place the matter before the Bench.

Earlier the bail application of the petitioner was  
rejected by a co-ordinate Bench of this Court vide order dated  
04.11.2020 passed in Cr. Misc. No.25257/2020.

The petitioner seeks bail in a case registered for the  
offence punishable under Sections 302, 201, 34 of the Indian  
Penal Code.

Prosecution case, in brief, is that the informant



lodged the case against unknown after recovery of a dead body of a woman. The informant found the dead body in water of Boriya Dhaw. The deceased sustained injury in her abdomen and on account of such injury, her intestine had come out. There was ligature mark all around the neck and it also transpired that the dead body of the deceased was tied with sack filled with soil and drowned in water of Boriya Dhaw. The photographs of the deceased was taken.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only on suspicion. There is no specific overt act against the petitioner and the petitioner is mother-in-law of the deceased. The husband of the deceased is already in judicial custody. The petitioner is languishing in judicial custody since 08.03.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. The family members of the deceased have already been granted bail by a co-ordinate Bench of this vide order dated 19.10.2020 passed in Cr. Misc. No. 25827/2020.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of



the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with S. Kamal P.S. Case No. 239/2018 to the satisfaction of learned Court below where the case is pending/ successor Court.

**(Anjani Kumar Sharan, J)**

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