

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26538 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- BANGAWON District- Saharsa

DEZI KUMARI W/o Late Dinesh Kumar Dinkar Resident of Village -
Gamhariya, P.S.- Sour Bazar, Distt.- Saharsa (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Adv.
For the State	:	Mr. Ajit Kumar, APP
For the deceased 1 st wife :		Mr. Bidhan Chandra Jha, Adv.
		Mr. Bal Krishna Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that the accused persons entered into a conspiracy and killed her husband.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the informant of the present case. In course of investigation, the petitioner who happens to be the wife of the deceased was falsely implicated in the case on the confessional statement of co-accused Gajendra Yadav and Sanjeev Kumar Yadav made before the police. The petitioner



has no illicit relation with Gajendra Yadav and it was as a result of conspiracy that they killed her husband. It is submitted that co-accused Gajendra Yadav has been enlarged on bail vide order dated 16.11.2021 passed in Cr. Misc. no.7872 of 2021 and Sanjeev Kumar Yadav has also been enlarged on bail vide order dated 10.3.2021 passed in Cr. Misc. no.39738 of 2020. The petitioner is in custody since 7.10.2020 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State and learned counsel appearing for the first wife of the deceased who appears suo motu. It is submitted by learned counsel for the informant that it has transpired in course of investigation that there were large number of calls between the petitioner on the one hand and the two co-accused namely Gajendra Yadav and Sanjeev Kumar Yadav on the other over telephone and it was as a result of a well hatched conspiracy that her husband has been killed.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with grant of bail to co-accused Gajendra Yadav and Sanjeev Kumar Yadav as also the petitioner having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged



on bail in connection with Bangaon P.S. Case no.43 of 2020 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 Additional Chief Judicial Magistrate I, Saharsa.

(Partha Sarthy, J)

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