

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.34146 of 2021**

Arising Out of PS. Case No.-147 Year-2020 Thana- KIUL District- Lakhisarai

PINKI @ SYNKY DEVI W/o Late Dharmendra Saw, D/o Hariom Saw  
Resident of Village- Barare, Police Station- Kiul, District- Lakhisarai.

... .. Petitioner

Versus

## The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3 31-08-2021 Heard learned counsel for the petitioner and Mr.  
Umesh Lal Verma, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Kiul P.S. Case No. 147 of 2020 (G.R. Case No. 1770 of 2020) registered for the offences punishable under Sections 302/34 of the Indian Penal Code. She is in custody since 22.01.2021.

The prosecution has been launched by the father-in-law of the petitioner after getting information that his son who happens to be the husband of the petitioner has been found dead at this residence situated near his sasural.

As per the prosecution story, the son of the informant had been married with this petitioner in the year 2013. He got

settled at a place near his sasural and was residing there for last about five years. He had got three children out of the wedlock with this petitioner.

On 30.11.2020, the marriage ceremony of the brother of this petitioner was fixed and he had gone there to participate in the marriage ceremony. It is alleged that the petitioner had got illicit relationship with her brother-in-law and the informant has suspicion that she alongwith her brother-in-law Parmanand Saw, her father, mother and brother murdered the son of the informant and hanged his dead body in the house.

Learned counsel for the petitioner submits that the F.I.R. has been lodged on 04.12.2020 in respect of the present occurrence in which the dead body of the husband of the petitioner was found on 30.11.2020 and an inquest report was prepared that very day by police at 12.45 pm. Police had recovered the rope by which the husband of the petitioner had hanged himself. His dead body was found hanging inside the room when police reached there. A ligature mark around the neck was found and in the inquest report it is specifically reported that there was no injury on the body.

Learned counsel further submits that the informant says in the F.I.R. that he has got suspicion but in course of

investigation, save and accept the statement of the informant and his own family members, no independent witness has stated that the petitioner had got any illicit relationship with her brother-in-law.

Learned counsel further submits that the post-mortem report does not show any ante-mortem injury on the body of the deceased.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner but does not controvert that the case is based on suspicion against the petitioner.

Considering the facts and circumstances of the case wherein no independent material has come to support the allegation against the petitioner and the petitioner has remained in custody for about seven months, investigation against her is complete and release of the petitioner on bail is not likely to result in tampering with evidence or interfering with the course of trial, this Court directs release of the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Kiul P.S. Case No. 147 of 2020 (G.R. Case No. 1770 of 2020) subject to the condition as laid down under

Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

Rishi/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.