

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32343 of 2021

Arising Out of PS. Case No.-961 Year-2019 Thana- PATRAKARNAGAR District- Patna

Panchali Devi, wife of Nand Kishore Kumar, R/o Village- Jorarpur, P.S.-
Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 14-12-2021 Heard the learned Advocate for the petitioner and
the learned APP for the State.

The petitioner seeks bail in connection with
Patrakar Nagar P. S. Case No.961 of 2019, instituted for the
offences under Section 302/ 34 of the Indian Penal Code
read with Section 27 of the Arms Act.

The learned counsel for the petitioner submits that
the petitioner is in custody since 20.01.2021, she is a person
with clean antecedent, charge-sheet has been submitted in
this case and is a lady.

The learned counsel for the petitioner further
submits that from perusal of the allegation as alleged in the
F.I.R., it would manifest that the informant alleges that on



20.11.2019 at 7.00 P.M., her husband Praveen Kumar (deceased) received a call on his mobile from a woman, who asked him to come, as her mother had to board a train, on which her husband left wearing a Pajama and a shirt on scooty of his neighbour.

It is next alleged that when her husband did not return till late in night, then next day at 2.00 P.M., the informant received a call from Patrakar Nagar Police Station that her husband has been shot and has been sent to P.M.C.H. for treatment. Accordingly, the informant reached at P.M.C.H. where the doctors declared her husband to be dead. It is alleged that the informant came to know that her husband was shot at 8.00 A.M. near Malai Pakri Road by 2-3 unknown miscreants.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and her name has transpired based on C.D.R. of mobile No.7463984618, which is alleged to be of the petitioner. During the course of the investigation, it has come that from the aforesaid mobile, several calls had gone to the petitioner till the date of occurrence based on which the police suspect that this



petitioner was a conspirator in the crime. The learned counsel submits that the aforesaid SIM was purchased in the name of the petitioner in 2016, but from 2019 that SIM was in the name of one Yogendra Singh.

The learned counsel for the petitioner, thus, submits that this petitioner is not named in the F.I.R., at best her name has transpired based on suspicion which has been raised on the ground that the mobile which belonged to her was used in the crime.

Learned A.P.P. opposes the bail application and submits that in the investigation, it has come that this mobile was used and several rounds of call had gone to the deceased and even the deceased had called on the said mobile. The learned A.P.P. further submits that it also transpires during the investigation, this petitioner and the deceased were known to each other as the petitioner sometimes back had opened a business in her house as a renter.

Considering the fact that the petitioner is in custody since 20.01.2021, she is a person with clean antecedent, charge-sheet has been submitted in this case and



petitioner is a lady and her name has come in the investigation as a conspirator in the crime, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Patna in connection with Patrakar Nagar P. S. Case No.961 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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