

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37684 of 2021

Arising Out of PS. Case No.-553 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

SUMAN DEVI W/o Late Dipul Thakur Resident of Village- Gaura, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Sahebganj P.S. Case
no. 553 of 2020 registered for the offence punishable under
sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is in custody since 11.12.2020, is person with clean
antecedent and charge sheet has been submitted and she is
legally wedded wife of the deceased. Learned counsel further
submits that from perusal of the allegation as alleged in the FIR,
it would manifest that sister of the deceased alleges that her
brother was living in his matrimonial home (Sasural) and was
killed by family members of the petitioner for not executing
sale deed with regard to ancestral land. Learned counsel submits



that from perusal of the allegation as alleged in the FIR, it would manifest that allegations are general and omnibus in nature neither FIR discloses as to how the informant came to know that it was this petitioner and her family members who had killed the deceased. Learned counsel further submits that FIR is completely cryptic in the sense that it is alleged that for non-execution of sale deed with respect to a land occurrence took place but then FIR does not disclose the details of the land i.e. khata, khesra number, area etc. Learned counsel submits that the petitioner and the deceased were living happily and petitioner is having child aged about 1 1/2 years and she was pregnant when she was taken in custody and child has been born inside the jail. Learned counsel submits that it is absolutely defies logic that a wife would kill her own husband with regard to a piece of land which would never come to her share in absence of her husband. Learned counsel submits that petitioner has instituted a complaint case being Complaint Case no. 1228/2020 in the court of ACJM, West Muzaffarpur against the present informant as such present false case was instituted when brother of the deceased had participated in funeral and that is why they never came forward with such allegation. Learned counsel submits that allegations are general and omnibus in



nature and has been made only to falsely implicate the entire family members of the petitioner in retaliation to the alleged complaint case.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody , charge sheet has been submitted and petitioner is a person with clean antecedent, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate I, West Muzaffarpur in Sahebganj P.S. Case no. 553 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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