

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28464 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- PANAPUR District- Saran

PRIYANKA KUMARI Wife of Late Shiv Kumar Singh Resident of Village-
Bajitpur, P.S.- Nayagaon, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 21.02.2020 in connection with Panapur P.S. Case No. 5 of 2020 registered for the offences punishable under Sections 302/120B/34 of the Indian Penal Code.

As per the prosecution case, on 09.01.2020 at 04:00 P.M. Shiv Kumar Singh (deceased) who was the care taker of Adarsh Nursing Home went to Panapur on Motorcycle, but after some time when the informant tried to contact him, she found his mobile phone switched off and the call was diverted to her own mobile phone. On query, she came to know next morning that dead-body of her husband was lying in the field and his motorcycle was also lying there, but the mobile phone was missing.



It is submitted on behalf of the petitioner that petitioner is the informant and wife of the deceased, but during the course of investigation and at the instance of her father-in-law, she has been made accused in this case only with a view to grab shares of her deceased husband. It is further submitted that, save and except, the confessional statement of co-accused Sachin Bhaskar no incriminating material has come to show the complicity of the petitioner in the alleged occurrence. Chargesheet has already been submitted in this case and the petitioner is in custody since 21.02.2020.

However, learned Additional Public Prosecutor opposed the bail application and submitted that during the course of investigation co-accused Sachin Bhaskar was apprehended and disclosed entire facts and the manner in which the offence has been committed.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-I, Chapra, in connection with Panapur P.S. Case No. 5 of 2020, subject to following conditions:-



(1)Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on her absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2)If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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