

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36637 of 2020

Arising Out of PS. Case No.-09 Year-2020 Thana- JAYRAMPUR District- Sheikhpura

Kamla Devi wife of Late Anandi Malakar resident of village- Kanhouli, P.s.-
Jairampur, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udbhav

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-03-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Jairampur P.S. Case No. 09 of 2020 for the offence registered
under Sections 498(A), 304(B) and 34 of the Indian Penal Code.

The allegation is regarding the accused persons
having killed the victim lady.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and she is
languishing in custody since 20.02.2020. The learned counsel
for the petitioner has further submitted that during investigation
the so called suicide note of the victim lady has been recovered
from beneath the pillow of her bed and the handwriting thereof



has been recognized by the brother of the deceased victim lady wherein the victim lady has stated that she is being forced to commit suicide on account of being harassed by one co-accused person namely Mukesh Kumar, hence it is submitted that the petitioner is having no role in the alleged occurrence and moreover there is no demand for dowry, thus at least no case is made out under Section 304 (B) of the Indian Penal Code.

Per contra, Smt. Anita Kumari Singh, the learned A.P.P. for the State has submitted that the statement of the daughter of the deceased victim lady has been recorded by the police wherein she has stated that the said Mukesh Kumar and the petitioner had caught hold of the deceased victim lady and had hanged her to death.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case dairy, this Court finds that the deceased victim lady herself has written in her suicide note that she is being forced to commit suicide on account of being harassed by the co-accused person, namely, Mukesh Kumar apart from the fact that the petitioner is aged about 60 years old and is suffering from various disease, is having a



clean antecedent and she is languishing in custody since more than one year, hence I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Sheikhpura in connection with Jairampur P.S. Case No. 09 of 2020.

(Mohit Kumar Shah, J)

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