

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35834 of 2020

Arising Out of PS. Case No.-205 Year-2020 Thana- RUPASPUR District- Patna

=====

Khusbu Kumari @ Reema Devi, Female, aged about 25 years, Daughter of
Amrendra Ram, Resident of village - Faridpura, P.S. - Naubatpur, District –
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Harsh Anuj, Adv.
For the Informant	:	Mr. Prasoon Kumar, Adv.
For the State	:	Mr. Ram Priya Sharan Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 20-01-2021 Heard Mr. Harsh Anuj, learned counsel for

the petitioner and Mr. Prasoon Kumar, learned counsel

for the informant. The State is represented by Mr.

Ram Priya Sharan Singh, learned APP.

The petitioner, who is in custody since

29.06.2020, seeks bail in connection with Rupaspur

P.S. Case No. 205 of 2020, dated 28.06.2020,



instituted for the offences under Sections 302 and 120(B) and 34 of the Indian Penal Code.

From the First Information Report, which has been lodged by the father of the deceased, it appears that the deceased had gone to the house of the petitioner who is a divorcee and had been staying alone in her house with her children. Later, the informant/father of the deceased was informed by the local police station that his son has died and that his dead-body had been sent for postmortem. On such information, the informant reached the postmortem house, only to find the dead-body of his son with wound marks. It further appears that the informant/father of the deceased was aware of the relationship between the deceased and the petitioner, but had fixed the marriage of his son at some other place. It has been suspected that because of this, the petitioner has got the deceased murdered.

Learned counsel for the petitioner has submitted that the accusation against her is only on



the basis of suspicion. Apart from this, it has been urged that for all this while, the deceased was on visiting terms with the petitioner and, therefore, only because his father had fixed his marriage at some other place, that would not have impelled the petitioner to have got the deceased murdered.

The petitioner, it may be noted, is a divorcee living alone with her children and the deceased always used to visit her.

Mr. Prasoon Kumar, learned counsel for the informant has however, while opposing the grant of bail, submitted that the petitioner is responsible for the death of the deceased. The deceased had last visited the house of the petitioner and an information had come from her that he is not well. This was a ploy of the petitioner for calling the deceased at her home for eliminating him out of disgust because his marriage had been fixed by his father at some other place. Apart from this, it has been submitted that the dead-body had marks of violence.



In response to the aforesaid submission, learned counsel for the petitioner has reiterated the fact that if the marriage of the deceased had been fixed somewhere else by his father, that was not a good enough motive for the deceased to be eliminated at the hands of the petitioner. It has further been submitted that the injuries on the person of the deceased was because of a fall from the roof-top while he was at the house of the petitioner. Had it not been the case, the petitioner would not have informed the police station about the death of the deceased.

Regard being had to the nature of accusation, the circumstances of the case and the period of custody of the petitioner, she is directed to be released on bail on her 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-II, Danapur, Patna in connection with



Rupaspur P.S. Case No. 205 of 2020.

While passing this order, this Court has also taken note of the fact that there are dependent children whom the petitioner has to take care.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

