

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3008 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- NAYAGAON District- Saran

Gulshan Khatoon (aged about 22 years F), W/o Late Jamaluddin R/o village-
Sheikh Dumri, P.S.- Nayagaon, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Smt. Sudha Ambastha, Adv.

For the Opposite Party/s : Mr. Addl. Public Prosecutor

Mr. Braj Nandan Kumar Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 16-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Nayagaon P.S. Case No. 98 of 2020, registered for the offence under Section 302 of the Indian Penal Code.

As per the prosecution case, on 20.06.2020 at about 2:30 PM, the petitioner, who is wife of deceased, was quarreling with her husband inside the room and thereafter, the petitioner is said to have come out from the room. Thereafter, the husband of the petitioner was found dead in the room. It is further alleged that there was mark around the neck of the deceased.

It is submitted on behalf of petitioner that petitioner is none else but wife of the deceased and due to some petty family



dispute, there was some quarrel and as a result of which, the deceased committed suicide. There is no eye-witness to the occurrence and only on suspicion, the petitioner has been made accused. Petitioner is in custody since 21.06.2020 with her small breast-feeding baby. Investigation is complete. Chargesheet has already been submitted.

Learned A.P.P. for the State has vehemently opposed the bail petition and submitted that there was mark around the neck of the deceased and this petitioner has committed the murder of the deceased.

However, considering the aforesaid facts & circumstances and the fact that save & except suspicion, there is no other material against the petitioner to connect her with the aforesaid crime, the bail petition of petitioner is allowed. Let the above named petitioner 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 concerned court, Saran at Chapra in connection with Nayagaon P.S. Case No. 98 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on her absence on two consecutive dates without sufficient reason, her



bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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