

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9729 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- ATHMALGOLA District- Patna

Shobha Devi @ Shobha Kumari aged about 49 years Wife Of Anant Kumar
Singh Resident Of Village- Saristapur P.S. Athmalgola, District- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Pd.Singh, Sr. Advocate and
Mr. Manoj Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-05-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 302/34 of
the Indian Penal Code.

As per the prosecution case, son of informant's sister
Anmol Kumar, aged about 5 years, went to the house of the
petitioner at about 10 am but when he did not return, search
was made and his dead body was recovered from a pond near
the house of the petitioner. Informant further suspected that all
the FIR named accused persons including this petitioner killed
the child and threw the dead body in pond.

Learned counsel for the petitioner submits that the death
of Anmol Kumar is accidental but the petitioner has been



implicated in this case due to enmity and on suspicion. It is also submitted that in fact co-accused Arti Devi had solemnized love marriage with the son of the sister of the informant against their wishes and the relation was not good and taking advantage of the instant accidental death of Anmol Kumar, petitioner has been implicated in the case. There is no eye witness of the occurrence. Petitioner has claimed clean antecedent and she is in custody since 27.8.2020.

Considering the facts and circumstances of the case and the fact that no incriminating material has been collected against the petitioner, save and except suspicion, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Barh, Patna in Athamalgola Police Station Case No. 190 of 2020 on the 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 and on his/her absence on two consecutive dates without sufficient reason, his/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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