

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5869 of 2022

Arising Out of PS. Case No.-245 Year-2021 Thana- TURKAULIYA District- East
Champaran

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PRAMILA DEVI W/O PRANAV SAHANI @ KRISHNA SAHANI
RESIDENT OF VILLAGE- KAWALPUR, P.S.- TURKAULIYA, DISTRICT-
EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Mishra

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-06-2022 Heard learned counsel for the petitioner and the

State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Sections 302 and 120B of the
Indian Penal Code.

Allegedly, this petitioner and co-accused persons
strangled the informant's husband to death and tried to
cremate his dead body.

The main submissions advanced by the learned
counsel for the petitioner are that this petitioner has relationship
of **Gotani** the informant and any specific role of her has not
been mentioned in the FIR. In fact, deceased died due to
hanging and in his post mortem report cause of death has been



mentioned as asphyxia. As a matter of fact, due to family dispute deceased committed suicide and present case is not the case of strangulation. Petitioner has been languishing in jail since 25.8.2021.

Learned APP opposes the prayer for bail.

Having considered the above submissions and considering the cause of death of deceased given in the post mortem report and also the fact that any specific role of the petitioner in the alleged crime has not been mentioned in the FIR, she is woman, in my view, a lenient approach may be taken in respect of the petitioner. Let the 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 the Chief Judicial Magistrate, Motihari in Turkauliya P.S. Case No. 245 of 2021 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 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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