

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9080 of 2022

Arising Out of PS. Case No.-209 Year-2021 Thana- PHULPARAS District- Madhubani

GAYATRI DEVI W/o Shankar Sah R/o village- Dih Tola, Bachhauni, P.S.-
Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

4 30-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Petitioner seeks regular bail in Phulpras P.S Case No. 209
of 2021 registered for the offence punishable under Sections 363, 365
of the Indian Penal Code and subsequently section 302 IPC has been
added.

As per allegation informant's son aged about 07 years
went missing and thereafter, he and his family members started
searching for the victim and FIR was registered against unknown
person and during course of investigation, petitioner and her family
members were alleged to have pushed the victim into river on
account of bad relation with the informant's family and during course
of investigation, dead body of the victim was recovered.

The main submissions advanced by Sri Nagendra
Upadhyay, the learned counsel appearing for the petitioner are that in
the FIR even no suspicion was raised against the petitioner and the



same was lodged against unknown person and during course of investigation a new story was developed by some of the witnesses of the prosecution mainly on account of running tense relation in between petitioner and informant's family, petitioner has been falsely dragged in this case and dead body of the victim was not recovered in following of any information given by this petitioner after the occurrence. Further submission is that petitioner is suffering from cancer disease and in this regard her medical treatment's documents have been filed.

Sri Surendra Prasad Singh, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR. Petitioner is not named in the FIR and she has been charge sheeted and her case is at initial stage and there is no direct allegation against the petitioner to connect him with the alleged murder and she has been languishing in jail since 6.6.2021, in the opinion of this court, a lenient approach can 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 Addl. Chief Judicial Magistrate I, Jhanjharpur, Madhubani in Phulpras P.S Case No. 209 of 2021.

(Shailendra Singh, J)

s.hassan/-

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