

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19285 of 2022

Arising Out of PS. Case No.-110 Year-2019 Thana- BELSAND District- Sitamarhi

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Guddi Kumari @ Guddi Devi, Wife of Rajesh Sharma @ Rajesh Kumar Sharma, Resident of Village- Pandrahi (Parahi), P.S. Belsand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 03-08-2022 Heard learned counsel for the petitioner and learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Belsand P.S. Case No. 110 of 2019, registered for the alleged offences under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, the sister of the informant was set on fire and burned to death by her co-accused husband and co-accused father-in-law along with this petitioner, who is stated to be the second wife of the husband of the



deceased.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence took place on 09.06.2019 and the FIR was lodged on 08.07.2019 after the death of the sister of the informant. During the intervening period, the informant was present in the hospital and attended the treatment of his sister, but only after her death, he filed this case for the motive best known to him. During investigation, a fact also came to the knowledge that at the time of occurrence, there was none else in the house and even the police submitted the charge sheet under Section 306 of the Indian Penal Code. Having regard to the material available on record, the co-accused father-in-law has been granted privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 02.12.2020 passed in Cr. Misc. No. 29037 of 2020 and co-accused husband has been granted bail by another Coordinate Bench of this Court vide order dated 14.12.2020 passed in Cr. Misc. No. 28975 of 2020. The case of the petitioner is on much better footing. The charge sheet has been submitted in this case and the petitioner is in custody since 11.03.2022.

Learned APP opposes the prayer for bail.



Having regard to the facts and circumstances of the case and the submissions made hereinabove and further considering the fact that there is no specific allegation against this petitioner, who is stated to be the second wife of the husband of the deceased and other co-accused persons have been granted anticipatory bail/ bail and also considering the submission of charge sheet and the period of custody of the petitioner, she is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-X, Sitamarhi in connection with Belsand P.S. Case No. 110 of 2019 (S. Tr. No. 96/21+57/22) , subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be the close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable



to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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