

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30941 of 2021

Arising Out of PS. Case No.-142 Year-2020 Thana- FULKAHA District- Araria

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TUNIYA @ TUNIYA DEVI W/O GIRANAND YADAV R/o village-
Manikpur, Ward No.- 8, P.S.- Fulkaha, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. A.L. Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 03-03-2022 Heard Mr. Krishna Prasad Singh, learned senior
counsel for the petitioner and Mr. A.L. Pandit, learned
Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Fulkaha P.S. Case No. 142 of 2020 registered for the offence
under Sections 302 , 379 , 120 (B) / 34 of the I.P.C.

As per the First Information Report petitioner is the
step mother-in-law of the informant, who allegedly killed grand
mother-in-law of the informant due to the reason that a piece of
land was transferred in the name of the wife of the informant by
her which was not to the liking of the petitioner, who happens to
be daughter-in-law of the deceased.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of suspicion only and except suspicion there is no material against the petitioner to connect him with the present offence . He further submits that petitioner being a lady is in custody since 20-11-2020 and no prima facie evidence has come against the petitioner that she was in conspiracy with the other co-accused persons .

On the other hand, learned counsel for the State referring to the case diary submits that during course of investigation it has come to light that petitioner in connivance with her criminal associates has committed the murder of the deceased by strangulation. Though, charge sheet has been filed but further investigation is still going on.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that learned counsel for the State failed to produce any cogent material against the petitioner from the case diary and charge sheet to connect her in the present offence, petitioner is a lady and she is in custody since 20 / 11 / 2020 as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 20000/-
(twenty thousand) with two sureties of the like amount each to
the satisfaction of learned Judicial Magistrate 1st Class cum
Assistant Munsif- I, Araria in connection with Fulkaha P.S.
Case No.142 of 2020 .

(Anil Kumar Sinha, J)

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