

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24748 of 2022

Arising Out of PS. Case No.-336 Year-2020 Thana- PARWALPUR District- Nalanda

=====

Jerkani Devi @ Jerkini Devi @ Pravila Devi Wife Of Raj Kumar Yadav R/O
Village- Sita Bigha, P.S.- Parwalpur, District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP.

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Parwalpur P.S. Case No. 336 of 2020 registered for the offences
under Sections 302, 201/34 of the Indian Penal Code and
Section 27 of Arms Act.

As per prosecution story, the informant's sister was
married to Sanjay Yadav fifteen years ago and out of the
wedlock they had three children and for the past two years she
was being tortured and the said dispute was taken before the
panchayat for settlement. But on 16.11.2020 an information was
received that the informant's sister has been murdered, later on
her dead body was recovered with the help of the police from



the nearby river burried in the land, and there were two marks of gun shot on the body of the deceased and the informant has alleged the petitioner's involvement in the alleged crime.

The main submissions advanced by learned counsel for the petitioner are that the marriage of the deceased was solemnized fifteen years ago with co-accused Sanjay Yadav and three children have taken birth from their wedlock and against the petitioner there is no specific allegation of torturing the deceased and she has been made accused mainly due to she being a relative of the husband of the deceased and she has relationship as Gotni of the deceased. Further submission is that petitioner and her husband are separate from the husband of the deceased in mess and in other family affairs and the husband of the petitioner has been granted bail vide order passed in Cr. Misc. No. 71578 of 2021 and two co-accused persons namely Santosh Yadav and Sokhan Yadav have also been considered for bail by this Court vide order passed in Cr. Misc. No. 17486 of 2022 and the case of this petitioner stands on better footing from the said co-accused persons and on the body of the deceased only one fire-arm injury was found.

Learned APP appearing for the State has opposed the bail prayer and submitted that the petitioner and co-accused



persons killed the informant's sister and the body of the deceased was found in a river and fire-arm injury on both sides of neck of the deceased was also found.

Having considered the fact that the husband of the petitioner as well as some co-accused persons carrying similar nature of allegation have been considered for bail by co-ordinate bench of this Court as well as this Court and the allegation made against the petitioner in the FIR appears to be similar with the said co-accused persons and the informant only raised suspicion against the petitioner and co-accused persons as they being involved in the killing of his sister. Accordingly, petitioner deserves to the privilege of bail which has been granted to co-accused persons also. Considering these facts as well as petitioner's custody period, in my view a lenient approach can be taken in respect of petitioner's prayer 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 concerned Court in Connection with Parwalpur P.S. Case No. 336 of 2020.

(Shailendra Singh, J)

sangam/-

U		T	
---	--	---	--

