

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32112 of 2022

Arising Out of PS. Case No.-201 Year-2021 Thana- SARAI District- Vaishali

POOJA DEVI @ POOJA KUMARI D/o Vinod Sah, W/o Suraj Kumar
Resident of Village- Sheetal Bhakurahar, P.S.- Sarai, District- Vaishali, at
present village- Jahanabad, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-08-2022 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 a case registered for the
offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, the informant alleged that he along with his
sister and brother Suraj (deceased) came to the matrimonial home of
his brother for celebrating birthday of his nephew where a dispute
arose between Suraj Kumar and his wife owing to that accused
persons including the petitioner strangled Suraj Kumar to death.

The main submissions advanced by Mrs Bela Singh, the
learned counsel appearing for the petitioner are that no specific
allegation has been made against the petitioner in the FIR,
petitioner's specific role in strangulating the deceased has not been
revealed and similarly situated co-accused has been granted bail by a



coordinate bench of this court vide order passed in Cr. Misc. no. 63877/2021, petitioner is woman and she has been languishing in jail since 25.3.2022 having clean antecedent.

Sri Uday Chand Prasad , learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR as well as order of the learned court below. Any specific allegation has not been made against the petitioner in the FIR, petitioner's specific role in strangulating the deceased has not been revealed and similarly situated co-accused has been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 63877/2021 and post mortem report discussed in the order of the learned court below goes to show that cause of death of the deceased has been opined as due to cardiac pulmonary arrest. Petitioner is woman and she has been languishing in jail since 25.3.2022 having clean antecedent.

Considering these facts and mainly taking into account that similarly situated co-accused has been granted bail, 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 Miss. Shobha, Judicial Magistrate, Ist Class, Vaishali at Hajipur/ concerned court in Sarai P.S Case No. 201 of 2021.

(Shailendra Singh, J)

s.hassan/-

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