

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38941 of 2022

Arising Out of PS. Case No.-89 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

Sagar Devi, W/O Bhulla Chaupal, Resident of Village- Galma, P.S.-
Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 02-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Let the defect (s), if any, as pointed out by the
office, be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Ghanshyampur P.S. Case No. 89 of 2022
registered for the alleged offences under Sections 302, 201 and
34 of the Indian Penal Code.

As per prosecution case, the marriage of the
daughter of the informant was solemnized with Kanhaiya
Chaupal, the co-accused son of the petitioner. Allegation against
the petitioner and other co-accused persons is that they killed
the daughter of the informant and tried to burn her dead body.

Learned counsel for the petitioner submits that

petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The relationship between the petitioner's son and the deceased daughter of the informant was quite good and they have three children from their wedlock. The daughter of the informant died a natural death. When the informant came to know the real fact about the death of his daughter. He filed a petition before the learned lower court stating therein that the F.I.R. named persons are innocent and death of his daughter was natural. Learned counsel further submits that there is no specific allegation against this petitioner for any wrong doing. Charge sheet has been submitted in this case and the petitioner is in custody since 16.04.2022.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner submitting that the allegation is quite grave and serious.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that there is no allegation of any specific overt act against the petitioner and further considering the period of custody of the petitioner along with submission of charge sheet against her, the petitioner above named 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 A.C.J.M-I, Biraul, Darbhanga in connection with Ghanshyampur P.S. Case No. 89 of 2022, 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 a 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)

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