

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42578 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- PAHARPUR District- East Champaran

Sabita Devi Wife of Late Rajendra Sah Resident of Village - Noneya Turaha
Tola, P.S.- Paharpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 06-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Paharpur P.S. Case No. 141 of 2021 lodged under Sections 341,
323, 328, 302, 34 of the I.P.C.

As per the prosecution case, the allegation has been
made by the father of the deceased that after marriage, the
daughter-in-law of the informant continuously residing at her
Maika.

Learned counsel for the petitioner submits that his son
was returned on 27.06.2021 from Delhi and went to his Sasural,
from where he received information that his in-laws were

assaulting him brutally. Then on the evening of the fateful day, he reached their then found that the dead body of his son was thrown near canal.

Learned counsel for the informant submits that he has apprehension that they have assaulted and subsequently provided wine due to which his son died.

Learned counsel for the petitioner submits that the present case has been filed with false allegation and under retaliation. Counsel submits that the antecedent of the petitioner is clean. Counsel submits that petitioner is the victim in this case because she lost her husband and she is in custody since 13.08.2021. Charge sheet has already been filed rather charge has also been framed in this case.

Learned counsel for the petitioner also submits that the said occurrence took place on 27.06.2021 but F.I.R. has been lodged after delay of about 3 days that is on 01.07.2021 that creates suspicion on the prosecution story.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees

Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Paharpur P.S. Case No. 141 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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