

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43899 of 2022

Arising Out of PS. Case No.-110 Year-2022 Thana- BAJPATI District- Sitamarhi

Sita Devi @ Sita Kumari W/O Suresh Rai Resident of village- Basha, P.S.-
Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhubala Verma, Advocate
For the State : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bajpatti
P.S. Case No. 110 of 2022 registered for the offence under
Sections 302 and 34 of Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.05.2022.

The allegation against the petitioner is to commit
murder of daughter of the informant, alongwith other co-
accused persons, due to previous enmity, by tying rope around
her neck.

Learned counsel appearing on behalf of the petitioner



submitted that, apparently, from bare perusal of the F.I.R., it appears that the informant is not the eye witness of the occurrence and, merely, on the basis of suspicion, as an altercation took place with petitioner and her family members, soon before the occurrence, petitioner and her family members have been made accused in the present case. It is further submitted that nothing surfaced during course of investigation, which may connect this petitioner, *prima facie*, with the present occurrence and, moreover, allegation, as regard to assault, is very much general and omnibus against the petitioner. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as informant is not the eye witness of the occurrence, where petitioner is a lady, in the background of general and omnibus allegation coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bajpatti



P.S. Case No. 110 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-
S.Tripathi/-

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