

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60923 of 2021

Arising Out of PS. Case No.-237 Year-2021 Thana- TAJPUR District- Samastipur

Pachiya Devi Wife of Devan Ram Resident of Village - Sarangpur Gopalpur,
P.S. - Tajpur (Haili O.P.), District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-09-2022 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
Tajpur (Halai O.P.) P.S. Case No. 237 of 2021 lodged under
Sections 302/34 of the I.P.C.

As per the prosecution case, the informant has
narrated that his son has gone outside in the night for natural
call, then the named accused persons including the present
petitioner had kidnapped him and after killing hanged him in the
verandah of local school situated in Gopalpur. It has been
specifically alleged that the said accused persons have
threatened the informant that they shall kidnap his son and kill.

Learned counsel for the petitioner submits that petitioner is innocent has committed no offence. He submits that only suspicion has been casted in the F.I.R. against all the accused persons. He has also submitted that the date of occurrence is 13.06.2021 but F.I.R. has been lodged on next day that is 14.06.2021. He submits that the petitioner is a lady aged about 50 years having clean antecedent and she is in custody since 15.06.2021, charge sheet has already been filed in this case. Learned counsel for the petitioner indicates that co-accused Rubi Kumari has been granted bail by the Co-ordinate Bench of this Court vide order dated 18.07.2022 passed in Cr. Misc. No. 18188 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that this occurrence took place in a pre-planned manner as the report of Superintendent of Police indicates in the case diary that there is an illicit relation between the deceased and Rubi Kumari, the daughter of the present petitioner and only due to this reason, this killing has took place.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but she may renew her prayer for bail 6 months after framing of charge. The Trial Court is directed to

release the petitioner thereafter imposing the condition so that she may not evade from trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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