

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58920 of 2021

Arising Out of PS. Case No.-166 Year-2021 Thana- MOKAMAH District- Patna

Kiran Devi W/O Ashok Paswan Resident Of Village- Kanhaipur, P.S.-
Mokama, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of her arrest in a case registered for the offences punishable under Sections 302, 201, 120(B)/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and the informant alleges that his daughter was married with Sujit Paswan in the Year 2011 and out of the wedlock, two children were born. It is next alleged that after marriage, the accused persons including the petitioner used to torture the victim due to which, she left her matrimonial home. It is further submitted that about 4-5 days back, the victim came to her parental place, but on the very next day, she went back to her matrimonial



home and thereafter, on 29.06.2021, the informant also came to the matrimonial home of the victim, but the accused persons forcibly took his signature along with the signature of the victim on a plain paper and thereafter, took away the victim. It is next alleged that on 30.06.2021, the informant came to know that the victim has been killed by the accused persons including the petitioner.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that informant is not an eye witness to the occurrence. The marriage was performed in the Year 2011. In between 2011, till institution of the F.I.R., no allegation ever was levelled or any case was filed, nor F.I.R. was instituted against the accused persons including the petitioner.

The learned counsel next submits that it appears that on account of dispute of the victim with her husband, she committed suicide by jumping in river Ganga as the post mortem records the reason of death as asphyxia due to drowning. It is next submitted that husband of the deceased is in judicial custody.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned



counsel for the petitioner and the fact that the allegation against the petitioner is general and omnibus, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Mokama P. S. Case No.166 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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