

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60193 of 2021**

Arising Out of PS. Case No.-109 Year-2020 Thana- ROHTAS District- Rohtas

=====

DURGA KUMARI W/o Late Deo Kumar Paswan Resident of Village -
Sundarganj, P.s.- Rohtas, Distt. - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel 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 Rohtas
P.S. Case No. 109 of 2020 registered for the offence under
Sections 302, 328, 323, 341 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.05.2021.

The allegation against the petitioner is to commit
murder of her husband, who is son of the informant.

Learned counsel appearing on behalf of the petitioner
submitted that the informant is not eye-witness of the
occurrence and moreover the allegation is only limited that the



petitioner persuaded her husband (deceased), to visit her paternal home. It has further been submitted that investigation in this case has been completed and charge-sheet has been submitted under Section 306 of the Indian Penal Code. While concluding the argument, it has been submitted that the petitioner is a lady having clean antecedent and also that postmortem report of the deceased not supporting the allegation of assault as there is no external injury found upon the body of the deceased.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that the informant is not eyewitness of the occurrence.

Considering the facts and circumstances as mentioned above, as informant is not the eye-witness of the occurrence and the petitioner is a lady coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Rohtas P.S. Case No. 109 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI, Rohtas at Sasaram subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Surendra Kumar Pasawan, who is the Brother-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

U		T	
---	--	---	--

