

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2955 of 2023

Arising Out of PS. Case No.-309 Year-2022 Thana- PALASI District- Araria

MEENA DEVI Wife of Shishunath Shah R/V- Kashibari P.s- Palasi Dist-
Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Palasi P.S.
Case No. 309 of 2022 dated 01.10.2022 registered for the offence
under Sections 302 of the Indian Penal Code.

The son of the informant is alleged to have been killed
by the unknown persons by sprinkling acid upon his body.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case merely on the basis of
suspicion. He further submits that the petitioner has not been
named in the F.I.R., however, her name transpired in this case
during course of investigation on the basis of suspicion only and
thereafter, the petitioner has confessed her guilt before the



police. He further submits that due to previous land dispute, this petitioner has been dragged in this case. He further submits that there is no eye witness to the alleged occurrence. He further contends that during course of investigation the witnesses have suspected that the son of the informant might have been killed by the petitioner. Save and except the suspicion and the self confession of the petitioner, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner, who is a lady, is rotting in judicial custody since 09.11.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Araria in connection with Palasi P.S. Case No. 309 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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