

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6026 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- TARABARI District- Araria

Jayanti Devi @ Maso. Jayanti Devi W/O Late Birendra Sah Resident of
Village- Baturbari, Ward no.- 7, P.S.- Tarabari, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Sessions Trial No. 510/2022 arising out of Tarabari P.S. Case No. 79 of 2022 registered for the offence punishable under Section 302/34 of the Indian Penal Code but the chargesheet was filed under Section 306/34 of I.P.C.

As per the prosecution, the informant alleged that his son was killed by this petitioner along with other co-accused persons on account of previous enmity.

The main submissions advanced by petitioner's



counsel are that mainly on the basis of suspicion the petitioner has been dragged in this case and as per the prosecution's allegation, the deceased had illicit relationship with this petitioner and mainly on the basis of said illicit relationship, the petitioner and other co-accused were suspected and except suspicion, there is no any material to connect the petitioner to the alleged crime and moreover after the investigation, the police filed charge-sheet under Section 306/34 of I.P.C. against the petitioner and others. Further submission is that the petitioner is a widow lady having three minor children and in the present matter, she has been languishing in jail since 17.08.2022, in fact the petitioner has no any relation with the deceased and she did not abate the deceased to commit suicide and the alleged offence of 306 of I.P.C. is not made out against her.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the facts that the investigation has been completed against the petitioner and the petitioner is a woman having three minor children as stated above and the FIR was lodged mainly on the basis of suspicion against the petitioner and others, in my



opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Sessions Trial No. 510/2022 arising out of Tarabari P.S. Case No. 79 of 2022.

(Shailendra Singh, J)

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