

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8106 of 2023

Arising Out of PS. Case No.-237 Year-2021 Thana- ALAMNAGAR District- Madhepura

GYANI DEVI Wife of Santosh Mukhiya Resident of Village- Mahadipur,
Ward No.-13, P.S.- Alamnagar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-04-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends her arrest in connection with
Alamnagar P.S. Case No.237/2021, registered for the offence
punishable u/s 302/34 of IPC, pending before the Court of
learned I/C ACJM-I, Udakishunganj, Madhepura.

3. Allegation against the petitioner is that she under a
conspiracy with other accused persons killed one Bindiya
Kumari (grand daughter of the informant).

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. She
has been falsely implicated in this case merely on suspicion.
There is no eye-witness to the allegation occurrence. It is further
submitted that the postmortem report shows that the death has



caused as a result of asphyxia, most probably due to hanging.
Petitioner is living separately from the informant and her family.
Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for grant of bail on her behalf is hereby rejected.

7. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, without being prejudiced of dismissal of this case and in accordance with law, considering that petitioner is a lady.

8. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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