

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10778 of 2023

Arising Out of PS. Case No.-12 Year-2022 Thana- DUMARIYA District- Gaya

Kavita Bharti @ Kavita Bhuiya S/O Prasad Bhiyan R/V- Koshila, P.S.-
Dumariya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code.

As per prosecution case, the informant alleged that her husband received a call and left the home but till evening he did not return. Later on, dead body of the informant's husband was recovered from field. It is further alleged that the petitioner is indulged in hatching conspiracy to kill the informant's husband in connivance with others.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR and falsely been implicated in this case. There is no any eye-witness of the alleged occurrence



and on the basis of suspicion, the name of the petitioner has transpired in this case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, similarly situated co-accused persons have already been granted bail by this Court vide order 13.3.2023 passed in Cr. Misc. No. 60944 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 10.5.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dumaria P.S. Case No. 12 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sherghati Dist- Gaya.

(Sunil Kumar Panwar, J)

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