

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12242 of 2023

Arising Out of PS. Case No.-209 Year-2021 Thana- PHULPARAS District- Madhubani

ASHA DEVI W/o Sanjay Kumar Sah R/o Village- Dih Tol, Bchhauni, P.S.-
Phulparas, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 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 363, 365 of the Indian Penal Code but the charge sheet has been submitted u/s 364, 302, 201 of the I.P.C.

As per prosecution case, the informant alleged that his son, aged about 7 years, were missing thereafter he and his family members started searching for the victim and FIR was registered against unknown. During course of investigation, dead body of the victim was recovered and the petitioner is said to have pushed the victim into river on account of bad relation with informant's family.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. In the FIR even no suspicion was raised against the petitioner and the same was lodged against unknown persons and during course of investigation, a new story was developed on account of running tense relation between the petitioner and the informant's family due to which this petitioner has falsely been implicated in this case. Moreover, similarly situated co-accused namely, Gayatri Devi has already been granted bail by a co-ordinate Bench of this Court vide order 30.8.2022 passed in Cr. Misc. No. 9080 of 2022. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is a lady and languishing in judicial custody since 6.6.2021.

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 Phulparas P.S. Case No. 209 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M.-I, Jhanjharpur at Madhubani.

(Sunil Kumar Panwar, J)

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