

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No. 16896 of 2023**

Arising Out of PS. Case No.-404 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

KAJAL KUMARI D/O JAI PRAKASH RAY Resident of village- Maruaha  
Katosar, P.S.- Sakara, District- Muzaffarpur, At present resident of Village-  
Dighli Adalpur, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
ORAL ORDER

2      25-05-2023                      Heard the learned counsel for the  
petitioner and learned APP for the State.

This is an application for grant of  
anticipatory bail in connection with Hajipur Sadar  
P.S. Case No.404 of 2019, registered for offences  
under Sections 302/120B of the IPC.

The case of the prosecution, in brief, is  
that the son of the informant used to live at Hajipur  
in a rented house, belonging to one Jagdish Singh,  
for the purposes of preparing for competitive  
examination and on 21.06.2019, at around 10



p.m., in the night, he had arrived at the said house from his village, whereafter he had informed the informant that he had reached there safely, however, thereafter, the mobile phone of the son of the informant became unreachable and, on 24.06.2019, the informant was informed by the local police that her son has been murdered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has submitted that there is no evidence on record to suggest the complicity of the petitioner in the alleged crime, as is apparent from the impugned order dated 16.02.2023, wherein the learned Sessions Judge, Vaishali at Hajipur, after going through the case-diary has stated that merely on suspicion, the petitioner has been roped in the present case. It is further submitted that there is no eye witness in the present case so as to connect the petitioner with the alleged crime.



Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that there is no eye witness to the alleged occurrence, the petitioner has been roped in the present case merely on suspicion and she is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of her arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with



Hajipur Sadar P.S. Case No.404 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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