

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17485 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- KHODAWANDPUR District- Begusarai

SONI KUMARI Wife of Vishnu Shankar Jha R/o Vill.- Mighaul, P.S.-
Khodawandpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 On call prayer for adjournment has been made on behalf of the learned counsel for the petitioner, learned APP is present as also the informant.

The petitioner apprehends his arrest in connection with Khodawanpur P.S. Case No.311 of 2022 instituted under Sections 302/34 of the Indian Penal Code lodged on 02.11.2022 by the informant Vikash Kumar.

As per the prosecution story, informant Vikash Kumar got information that his sister was done to death and when he reached her sasural. Kunal Kumar, Meera Devi, Vishnu Shankar Jha, Son Kumari, Sohan and Mohan and 8- persons were about to dispose of the body of Indu Kumari. Thereafter the police party came and the family members of the informant also reached there.

The police took the dead body for post-mortem. The



jewellery (25 lakh) given by the informant was handed over to the Mukhiya. It was further said that in the year 2015 Vishnu Shankar solemnized 2nd Marriage. There was panchayat too but of no use. It was alleged that on 01.11.2022 at about 1 P.M. Indu Kumari was murdered. Accordingly, the FIR.

The allegation against the husband is of torturing the informant and solemnization of marriage.

So far as this petitioner is concerned it seems she herself is a victim of circumstance being the second wife of the husband of the informant.

Taking into account that she is a woman, no criminal antecedent and will have to face the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Khodawanpur P.S. Case No.311 of 2022 to the satisfaction of learned SDJM, Manjhaul, Begusarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /
Sunil

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