

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22198 of 2023

Arising Out of PS. Case No.-252 Year-2022 Thana- LAUKAHI District- Madhubani

Kalawati Devi, W/O Laxman Paswan, R/O Village- Papraun, P.S- Laukahi,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Laukahi P.S. Case No. 252 of 2022 registered on 16.10.2022 for the alleged offences under Sections 302 and 201/34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the informant was married to the co-accused Kashndra Paswan and the petitioner is the mother of the co-accused. The allegation against the petitioner and other co-accused persons is that they killed the daughter of the informant and in order to conceal the dead body threw it on the barren land of one Bageshwar Paswan.

4. The learned counsel for the petitioner submits that pe-



petitioner is innocent and has been falsely implicated in this case. Petitioner is mother-in-law of the deceased and it was a love marriage between the deceased and son of the petitioner who were living separately from this petitioner. Moreover, there is general and omnibus allegation against the petitioner and co-accused Kundan Kumari. Co-accused Kundan Kumari has been granted bail by a Co-ordinate Bench of this Court vide order dated 16.05.2023 passed in Cr. Misc. No. 18611 of 2023. The case of the petitioner is on similar footing. There is no eye-witness to the alleged occurrence. The petitioner is in custody since 17.10.2022 and charge-sheet has been submitted. The petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail submitting that it has come in the rejection order of the learned lower court that death of the daughter of the informant was due to strangulation and the co-accused confessed her role as well as role of the petitioner in the occurrence.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is a lady and there is general allegation against her without any substantive material and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail



on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani/court concern in connection with Laukahi P.S. Case No. 252 of 2022, subject to the condition mentioned in Section 437(3) of the Cr.P.C. and other the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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