

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23143 of 2022

Arising Out of PS. Case No.-87 Year-2021 Thana- BAKHARI District- Begusarai

SUSHILA DEVI wife of Late Suresh Mahto Resident of Village - Ratan,
Ward No. 07 P.S. Bakhari, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Ranjan, Advocate
		Mr. Ashutosh Kumar, Advocate
For the Opposite Party/s:		Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 326 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that along with the father-in-law of his younger brother, one another person visited them. On the alleged date of occurrence he once again visited the informant's house. The informant's father went along with him but did not return. Subsequently his dead body was found with a gunshot injury in his head.



It is submitted by learned counsel for the petitioner that the petitioner happens to be the mother of the informant and wife of the deceased. She has been falsely implicated in the case only on the basis of the location of the mobile phone of the petitioner which was found near about the place of occurrence. There are no eye witnesses to the occurrence. The petitioner is in custody since 24.6.2021 and has no criminal antecedent.

Heard learned A.P.P for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the material that has transpired in course of investigation and the petitioner having remained in custody for over 1 year 6 months since 24.6.2021, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 30 of 2022 (arising out of Bakhari P.S. Case no. 87 of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Begusarai on the condition that the petitioner shall remain properly represented/physically present in the trial in the learned trial Court and shall cooperate in the trial. In case the learned trial



Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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