

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33141 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- BATH District- Bhagalpur

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Guriya Kumari @ Guriya Devi, Wife of Late Karan Kumar, Resident of
Village-Abharatanpur, P.S.- Bath, Distt-Bhagalpur, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Bath P.S. Case No.96 of 2022 registered for the offences
punishable under Sections 302, 201, 120-B read with 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner named in the FIR and is in
custody since 11.11.2022.

Allegation against the petitioner is to commit
murder of her husband along with other co-accused persons
with whom she is alleged to be in illicit relation and further
alleged to force the deceased to construct a house in her parental
village out of compensation amount of Rs.4,50,000/- received
against death of her son.

It is submitted by learned counsel appearing on



behalf of the petitioner that informant is not the eye-witness of the occurrence and out of suspicion, present false implication was raised, as deceased developed some matrimonial discord with petitioner who is none but the wife. It is submitted that even compensation amount as alleged was not received by petitioner being mother. While concluding argument, it is submitted that petitioner is a lady of clean antecedent, where investigation has been completed for which charge-sheet has been submitted and as such, there is no chances of tampering with the evidence.

Learned APP opposes the prayer for bail of the petitioner.

In view of the above-mentioned facts and circumstances as informant is not the eye-witness of the occurrence, where entire allegation appears to be raised *prima facie* out of suspicion being wife of deceased, coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 11.11.2022 accordingly, petitioner above-named is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Bath P.S. Case No.96



of 2022, subject to the conditions as laid down under Section
437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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