

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28671 of 2022

Arising Out of PS. Case No.-892 Year-2021 Thana- KUDHNI District- Muzaffarpur

SONI KUMARI D/o Surendra Paswan R/o village- Sakri Saraia, P.S.-
Kudhani, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23621 of 2022

Arising Out of PS. Case No.-892 Year-2021 Thana- KUDHNI District- Muzaffarpur

VIKASH KUMAR Son of Ram Narayan Singh Resident of Village - Teliya,
P.S.- Kudhani (O.P.- Turki), District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 28671 of 2022)

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

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

For the Informant/s : Mr. Krishna Kant Singh, Advocate

(In CRIMINAL MISCELLANEOUS No. 23621 of 2022)

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

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

For the Informant/s : Mr. Krishna Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 18-01-2023

CRIMINAL MISCELLANEOUS No.28671 of 2022

Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 302, 201 and 34 of the
Indian Penal Code.



Learned counsel for the petitioner submits that petitioner is in custody since 08.12.2021 and is a person with clean antecedent and is a woman and the informant alleges that eight named accused persons killed Vinay Kumar and covered his mouth with cello tape tied his hand and feet and packed his body in a sack and threw it in the water field, further one Durgesh Kumar saw all the accused persons returning from the field.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation does not even remotely suggest the name of Soni but in the accused column she has been named accused no.9, it is next submitted that during the course of the investigation it has come that Soni was in love with the deceased, on account of which the family members of Soni killed him. The learned counsel for the petitioner next submits that police in a mechanical manner arrested the petitioner when she is not alleged to have committed any offence as would be evident from the allegations as alleged in the FIR.

Learned A.P.P. for the State and learned counsel for



the informant oppose the prayer for bail of the petitioner.

Considering the submission made by the learned counsel for the petitioner, the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kudhani (Turki O.P.) P.S. Case No. 892 of 2021.

CRIMINAL MISCELLANEOUS No. 23621 of 2022

Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 363, 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is in custody since 07.12.2021 and is a person with clean antecedent and the informant alleges that eight named accused persons killed Vinay Kumar and covered his mouth with cello tape tied his hand and feet and packed his body in a sack and threw it in the water field, further one Durgesh Kumar saw all the accused persons returning from the field.

Learned counsel for the petitioner submits that petitioner is not related to Soni in any manner and as such there



was absolutely no occasion for him to participate in the occurrence, it is next submitted that even Soni has not named the petitioner in her confession before the police.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for bail of the petitioner, but are not able to meet the submission of the learned counsel for the petitioner that petitioner is not related to Soni in any manner and Soni has not disclosed his name in her confession.

Considering the submission made by the learned counsel for the petitioner, the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kudhani (Turki O.P.) P.S. Case No. 892 of 2021.

(Satyavrat Verma, J)

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