

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29701 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- AGION (GARHANI) District- Bhojpur

RAJ KUMARI DEVI WIFE OF RAJENDRA CHOUDHARY Resident of
Village-Mandari PS-Agion(G) Dist-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mrs.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Agion (G)
P.S. Case No. 4/2023 registered for the offences punishable
under Sections 302, 201/34 of the Indian Penal Code.

As per prosecution case, petitioner and others is
alleged to have killed the informant's sister by strangulation and
burnt her dead body with intention to hide her dead body.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to mother-in-law of the deceased aged about 72 years.
He further submits that from perusal of FIR there is no specific
role has been assigned by the prosecution against the petitioner
and she is suffering from illness due to old age. The petitioner is



languishing in custody since 16.01.2023 and bears no criminal antecedent. He further submits that petitioner is residing separately with her husband and two child since long period and husband of the deceased is already in jail. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner is an old lady, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Bhojpur at Ara in connection with Agion (G) P.S. Case No. 4/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the



affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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