

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30366 of 2022

Arising Out of PS. Case No.-100 Year-2021 Thana- SANOKHAR District- Bhagalpur

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Bibi Gulshan @ Gulshan Khatoon @ Bibi Gulshan Khatoon Wife of Md
Kailu Alam @ Kailu Resident of Village- Chakhmaza, P.S.- Sanokhar,
District- Bhagalpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Ms. Preety Kunwar, Advocate Mr. Kumar Rajdeep, Advocate
For the informant	:	Mr. Pravin Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-03-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned APP for the State.

Petitioner seeks regular bail in connection with
Sanokhar P.S. Case No. 100 of 2021 (Sessions Trial No. 498 of
2021) registered for the offence punishable under Section 302 of
the Indian Penal Code.

As per the prosecution, the informant's minor
daughter was killed by this petitioner and victim's dead body
was recovered from a pit near river bank.

The main submissions advanced by the learned
counsel for the petitioner are that both the parties are relatives,



during investigation the police mainly relied upon the statements of three chance witnesses who simply raised suspicion against the petitioner and as per the postmortem report of the deceased no external injury was found by the doctor concerned on the body of the deceased and the cause of death opined in the postmortem report is asphyxia and shock due to antemortem drowning, in fact the victim drowned and thereafter the petitioner was falsely roped in the present matter and she has been languishing in jail since 26.06.2021 and there is no eye-witness of the alleged occurrence.

Learned counsel for the informant has vehemently opposed the bail prayer.

Heard both the sides and perused the FIR.

As per the statements of some witnesses mentioned at paragraph nos. 11, 12 and 13 of the case diary, the deceased was lastly seen in the company of this petitioner and the conduct of this petitioner was also found suspicious as per the statements of these witnesses during the relevant time of the alleged commission of the offence, in the opinion of this court it is not a fit case for bail to the petitioner, accordingly her bail prayer stands rejected.

Petitioner may renew her bail prayer after six months,



if any significant progress is not made in her trial by the trial court.

(Shailendra Singh, J)

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