

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33783 of 2023

Arising Out of PS. Case No.-26 Year-2010 Thana- PIPRA District- Supaul

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MOSTT. SARSWATI DEVI wife of Late Chandradeo Mandal Village-
Dubiyani Ps- Pipara Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar 1, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel appearing on behalf of the

parties.

The petitioner seeks bail in connection with Pipra P.S.

Case No. 26 of 2010 registered for the offence under Sections

328, 302 and 120B/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in

custody since 25.01.2023.

The allegation against the petitioner is to commit

murder of brother of informant after administering poisonous

substance along with other co-accused persons, where,

petitioner was living separately, after matrimonial discord with

deceased.

Learned counsel appearing on behalf of the petitioner

submitted that petitioner implicated with present case only being



wife of deceased, in the background of matrimonial discord. It is submitted that after investigation police submitted final form, where on the basis of protest, cognizance was taken against petitioner and other co-accused persons. It is submitted that co-accused, namely, Upendra Ram facing similar allegation granted bail by one of the learned co-ordinate Bench of this Court, through Cr. Misc. No.44010 of 2012 dated 11.12.2012. While concluding the argument, it is pointed out that petitioner is lady of clean antecedent and moreover investigation of this case has completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as implication of petitioner appears *prima-facie* out of suspicion being wife of deceased, who is a lady of clean antecedent coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 25.01.2023, let the petitioner, above named, is directed to be released on bail in connection with Pipra P.S. Case No. 26 of 2010, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



District and Sessions Judge, Supaul/concerned court, subject to
the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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