

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34309 of 2023

Arising Out of PS. Case No.-475 Year-2022 Thana- NARPATGANJ District- Araria

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Soni Kumari @ Soni Devi Wife of Late Mithilesh Singh Resident of village -
Bardaha, ward no. 04, P.S. - Narpatganj, Distt. - Araria, State – Bihar

... .. Petitioner/s

Versus

The State Of Bihar

.. ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhiresh Kumar Dhiraj, Advocate

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

For the Informant : Mr. Pawan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
04.11.2022 in connection with Narpatganj P.S. Case No. 475 of
2022, F.I.R. dated 02.11.2022 for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

4. According to prosecution case, this petitioner who
happens to be the wife of the deceased along with other accused
persons have murdered the son of the informant and hanged his
dead body in the husk house of one Ram Pravesh Kumar and
they all fled away.

5. Learned counsel for the petitioner submits that



petitioner has clean antecedent and she has falsely been implicated in the present case and the petitioner is the wife of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that after the F.I.R. the confessional statement of the petitioner was recorded in which she has confessed her guilt and except the confessional statement of the petitioner, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that there is no eye witness of the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 04.11.2022.

6. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that in the confessional statement of the petitioner, she has confessed her guilt.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail **after framing of charge** and on furnishing bail bond of Rs. 10,000/-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 475 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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