

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45556 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- EAST COLONY District- Munger

MAMTA KUMARI Wife of Late Jeetendra Kumar Resident of Quarter no.
2AB Railway Cant Road, P.S. - East Colony, Distt. - Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with East Colony P.S. Case No. 302/34 instituted for the offence
under Sections 302/34 of the Indian Penal Code.

3. As per allegation in the FIR, the son of the
informant namely, Jitendra Kumar was in service of Railway
workshop who was married with the petitioner ten years ago. It
is alleged that on 19.3.2023, the petitioner who is wife of the
deceased is indulged in hatching conspiracy to kill the the son of
the informant/deceased in connivance with other co-accused
persons namely, Ajit Kumar and Bitu Paswan with whom, she
had illicit relation.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. The petitioner is wife of the deceased due to which she has falsely been implicated in this case on the basis of suspicion. The informant, being father of the deceased is not an eye witness of the alleged occurrence. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, she is languishing in judicial custody since 20.3.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner who is wife of the deceased, is named in the F.I.R. upon whom the allegation has been made of committing murder of her own husband. From perusal of para-7 of the case diary, wherein self confessional statement of the petitioner is mentioned, it is evident that petitioner Mamta Kumari confessed her guilt in respect of commission of murder of her husband in connivance with other co-accused persons by assaulting him iron rod. The petitioner had illicit relationship with the co-accused Ajit Kumar, at the instance of whose confessional statement, one iron rod was recovered which is said to have been used in the offence for murder of the deceased. The postmortem report of the deceased which is mentioned in para 81 of the case diary, supports the



prosecution case wherein, cause of death is opined due to hard & blunt substance.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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