

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42372 of 2022

Arising Out of PS. Case No.-765 Year-2017 Thana- BANKA District- Banka

Babita Devi Wife Of Ghutar Das Resident Of Village - Gonalwari, P.S.-
Banka, Distt.- Banka.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Banka P.S. Case No. 765 of 2017 registered for the offence
under Sections 302/34 of the Indian Penal Code.

As per prosecution case, when the informant was
informed that her daughter was sick, on such information, the
informant reached the matrimonial house of his daughter, where
he saw her daughter laying as dead and also found red abrasion
mark on her neck thereafter the case has been registered against
the accused persons.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. She has
falsely been implicated in this case. The allegation leveled upon



the petitioner is false and concocted. It is further submitted vide para 9 of the petition that the petitioner has no concern with the deceased or her husband and she is living separate from the husband of the deceased. The husband of the petitioner has been living with this petitioner in Delhi much prior to the occurrence and working as a labour for their livelihood. A statement has been made in para 3 of the petition that the petition has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 1.5.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Banka P.S. Case No. 765 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/Concerned court.

(Sunil Kumar Panwar, J)

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