

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42566 of 2023

Arising Out of PS. Case No.-231 Year-2021 Thana- RAJAPAKAR District- Vaishali

Kazal Patel Wife of Chandan Kumar, D/o Keshav Prasan Patel R/o Vill. -
ward no. 08, Kashipur, Near Kali Mandir, P.S. - Rajapakar, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

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 regular bail in a case registered for the offence punishable under sections 302, 34 of the Indian Penal Code.

3. As per prosecution case, the son of the informant Chandan Kumar was married with the petitioner in the year of 2019. Thereafter, some dispute arouse between them and the petitioner went to her parental house. On 28.8.2021 the son of informant had gone to paternal house of her wife/petition, where he was murdered by tightening a rope around his neck. Accordingly, the present FIR was registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner is wife of the deceased due to which she has falsely been implicated in this case. The prosecution case lodged only on the basis of suspicion. As a matter of fact that on perusal of statement of witnesses of this case vide para 40 to 43 of the case diary, it seems that the deceased committed suicide himself. No one is eye witness of the alleged occurrence. During investigation, no any consistent material has come against the petitioner. The petitioner has not any motive to kill her husband/deceased. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner sou-motu surrendered on 12.4.2023 and since then, she is languishing in judicial custody.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts that the petitioner, being a lady as well as her period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajapakar P.S. Case No. 231 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate IX, Vaishali at
Hajipur.

(Sunil Kumar Panwar, J)

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