

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60423 of 2022

Arising Out of PS. Case No.-128 Year-2021 Thana- PARBATTa District- Bhagalpur

KAJAL KUMARI @ KAJAL DEVI Wife of Sarvesh Mandal @ Suresh
Mandal Resident of Village - Gonarchak, P.S.- Parbatta, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with S.T. No. 248 of 2022 arising out of
Parbatta P.S. Case No. 128 of 2021 registered for
the offences punishable under Sections 302, 201
and 34 of the Indian Penal Code.

The case of the prosecution, according to
the informant, is that his daughter was married
with one Sarvesh Mandal about 12 years back and
they were blessed with two children, whereafter
the said Sarvesh Mandal had performed second
marriage with the petitioner and was keeping her



as his second wife and out of the said wedlock also one child was born. It is alleged that the accused persons including the petitioner herein had conspired and killed the daughter of the informant with oblique motive and then they had thrown the dead body in the river.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is languishing in custody since 21.10.2021. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one another case but she is on bail in the said case. It is also submitted that the main accused might be the husband of the deceased victim lady who is already in custody, hence no prejudice would be caused to the prosecution in case the petitioner is granted bail, who is alleged to be the second wife of the said Sarvesh Mandal.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and



circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the husband of the deceased victim lady is already in custody, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge, Naugachia, District-Bhagalpur in connection with S.T. No. 2218 of 2022 arising out of Parbatta P.S. Case No. 128 of 2021.

(Mohit Kumar Shah, J)

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