

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55028 of 2023

Arising Out of PS. Case No.-627 Year-2016 Thana- AHİYAPUR District- Muzaffarpur

Sunita Devi Wife Of Garib Nath Rai Resident Of Village- Sadatpur, P.S-
Kanti, District Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-12-2023 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302, 34 of the Indian Penal Code.

It is alleged by the informant that on call made
by the petitioner on the mobile of her husband, who
happens to be the *Bhabhi* of the husband of the
informant, he went in the house of the petitioner, but
thereafter, his dead body was found lying in the rented
house of the petitioner. The informant raised suspicion
that since petitioner was having illicit relationship with



another person, the deceased being *Dewar* of the petitioner, might have objected, due to which, the petitioner along with other accused persons might have assaulted to her husband by bricks, bats, causing his death.

It is submitted by learned counsel for the petitioner that petitioner is innocent and she has falsely been implicated in this case. The petitioner is a married lady having three children and her husband was in jail, hence, taking advantage of her position, the deceased and his friend Mohan Rai started putting pressure upon the petitioner for illicit physical relationship. On the alleged date of occurrence, both came at her house and started putting pressure upon the petitioner for illicit relationship which was objected by the petitioner and she somehow fled away with her children. It might be a possibility that co-accused Mohan Rai had killed the husband of the informant. Moreover, there is no eye witness to the occurrence and the petitioner is



languishing in custody since 06.03.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 627 of 2016.

(Sunil Kumar Panwar, J)

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