

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57729 of 2023

Arising Out of PS. Case No.-270 Year-2023 Thana- GURUA District- Gaya

Rewanti Kumari @ Rewanti Devi @ Pewanti Devi W/O Late Ashok Kumar
R/O Village- Lakdahi, Ps. Gurua, Dist. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

For the Informant/s : Mr. Awadhesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2023 Heard learned Mr. Krishna Prasad Singh, learned Senior Counsel appearing on behalf of the petitioner and Mr. Awadhesh Kumar Singh, learned counsel appearing on behalf of the informant and the State.

2. Petitioner seeks bail who is in custody since 07.06.2023 in connection with Gurua P.S. Case No. 270 of 2023, F.I.R. dated 01.06.2023 for the offences punishable under Sections 302, 201, 120(B) of the Indian Penal Code.

3. According to prosecution case, brother of the informant is alleged to have been abducted and murdered.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case merely on the basis of suspicion. He further submits that her marriage was performed with the deceased on 29.05.2023 and the dead body of the deceased was found on 01.06.2023. He further submits that it has come during



the investigation that the petitioner had talks with one Upednra Yadav, who is brother-in-law of the petitioner, might have killed the husband of the petitioner. He further submits that there is no eye witness of the alleged occurrence and the confessional statement of the petitioner was recorded in Paragraph No. 85 of the Case Diary, in which, she has confessed her guilt. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.06.2023.

5. The learned Additional Public Prosecutor and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for bail of the petitioner and submits that it has come during the investigation that the petitioner has illicit relation with one Upendra Yadav, who has killed the husband of the petitioner but fairly submits that except the C.D.R. report, no other material has come during the investigation to suggest the involvement of the petitioner in the present occurrence.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate – Ist Class, Sherghati, District – Gaya, in connection with Gurua P.S. Case No. 270 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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