

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56663 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- RAJNAGAR District- Madhubani

Bibha Devi, Female, aged about 28 years, W/o Rambabu Mahto R/V -
Bhariya, Malhana, P.S.- Rajnagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Rajnagar P.S.
Case No. 27/2022, S.T No. 360/2020 registered for the offence
punishable under Section 302, 201, 120 (B) of the Indian Penal Code
(for brevity 'IPC').

The dead body of the informant's husband has been found
leading to lodging of the case, wherein the informant has stated that
on the previous night, he left home at around 10:00 P.M., after
receiving a mobile call. The informant has also stated in the First
Information Report (for brevity 'F.I.R') that her husband was a
habitual gambler.

Learned counsel for the petitioner submits that petitioner's
implication is based on confessional statement of her husband
recorded in the custody, wherein he has claimed to have committed
the murder due to illicit relation of the victim with the petitioner.
Under such circumstances, there being no other cogent material on
record, the petitioner is in custody since 23.03.2022. She has no
criminal antecedents.



Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prosecution case, manner of petitioner's implication, her being female and period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, 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 the learned A.D.J-Vth, Madhubani, in connection with Rajnagar P.S. Case No. 27/2022, S.T No. 360/22, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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