

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59233 of 2023

Arising Out of PS. Case No.-627 Year-2022 Thana- RUPASPUR District- Patna

Kiran Devi W/O- Mahesh Ram Resident of Village- Kothwa Chamartoli P.S.-
Khagaul Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Rupaspur P.S. Case No. 627 of 2022, registered on 29.09.2022 for the offences under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, the nephew of the informant, who has been residing with her since his childhood and has been working in the area of light decoration was murdered. The informant came to know that the FIR named accused persons along with 3-4 unknown persons brutally assaulted the nephew of the informant causing his death. The occurrence took place in the background of payment of some



dues which was outstanding against the FIR named co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is a lady and she has been falsely implicated along with all her family members. The name of the petitioner came in the confessional statement of co-accused Shankar Ram who was also not named in the FIR but said co-accused is on inimical terms with the petitioner's family. It is apparent from the FIR that the nephew of the informant went out on his own and it is nowhere mentioned that he was called out by the petitioner or any of the co-accused persons. Further there is no allegation of any overt act against the petitioner. All the co-accused persons except one Sunil Kumar have been granted bail by different Co-ordinate Benches.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the apparent lack of material against the lady petitioner to connect her with the offence as alleged and further considering the grant of bail to a number of co-accused persons, let the petitioner above



named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Danapur, Patna/concerned court in connection with Rupaspur P.S. Case No. 627 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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