

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63865 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

Sunaina @ Sunaina Devi, (Female), aged about 59 years, wife of Late Gorakh Tiwari @ Late Gorakh Nath Tiwari, resident of village- Bharthiya, Tola Sipahiya, Police Station- Bishambharpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Bishambharpur P. S. Case No. 89 of 2023 instituted for the offence punishable under Section 302/34 IPC.

3. Prosecution case, as per the informant (brother of the victim) is that his sister was married with co-accused, namely, Kamecha Narayan Tiwari. It is alleged that petitioner along with other accused persons, who are in-laws of the victim, have killed the victim on 04-06-2023.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that petitioner is cousin *Bhabhi* of the co-accused Kamecha Narayan Tiwari, who was living separately from her Devar and daughter-in-law. It is submitted that the occurrence took place after 30 years of the marriage of



the victim. It is submitted that husband of the victim is in judicial custody. It is also submitted that petitioner's house was far away from the house of the said Kamecha Narayan Tiwari(husband of deceased). She has got no connection with the affairs of the co-accused. The petitioner has no criminal antecedent. Petitioner is a lady aged about 59 years.

5. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bishambharpur P. S. Case No. 89 of 2023, she shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-XII, Gopalganj subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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