

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65156 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- BANGAWON District- Saharsa

Kajal Devi @ Kajal Kumari, W/o Babul Kumar Yadav, R/O Village-
Sukhasan, P.S- Simri Bakhtiyarpur (Kanariya O.P), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajeeva Roy, Sr. Advocate Mr. Shashank Shekhar Sinha, Advocate
For the Opposite Party/s :	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 12-04-2023 Heard learned senior counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Bangaon P.S. Case No. 76 of 2022 dated 25.07.2022 registered
for the offences punishable under Sections 302, 201, 120(B)/34
of the Indian Penal Code.

As per the prosecution, the informant's minor
daughter was killed by this petitioner and other accused persons
by pouring hot oil/water on her body due to a land dispute and
further the deceased's body was thrown out with an intention to
conceal the crime.

The main submissions advanced by the learned senior
counsel for the petitioner are that the petitioner is a younger



sister of the wife of the informant, she has no dispute with the informant and his family and there was a land dispute in between the informant and sister-in-law of the petitioner (Nanad) in which petitioner has no concern and petitioner is 21 years old and at the time of her arrest she had one child of 13 days old in her lap and in the present time her child is about 9 months old in jail with this petitioner and regarding the accusation made against the petitioner the prosecution is only relying upon circumstantial evidence and as per the FIR the alleged occurrence took place in the night of 23.07.2022 but the FIR was lodged on 25.07.2022 and even before the institution of the FIR the police prepared inquest report of the deceased but did not give the details of the source of information by which the police arrived at the place of occurrence and started investigation and in the FIR the informant simply raised his doubt for the petitioner with regard to her involvement in the alleged murder of the victim and except suspicion there is no material or evidence to connect the petitioner to the alleged crime. Further submission is that during investigation several independent persons were examined by the police but none of them stated anything about complicity of the petitioner in the alleged crime.



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

Considering the above submissions and mainly the petitioner's young age and also the facts that in the present time her child who is 9 months old is with her in jail and the petitioner has been made accused merely on the basis of suspicion and during investigation no one has claimed to have seen the petitioner committing the alleged occurrence as per above submission, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner 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 concerned Court in connection with Bangaon P.S. Case No. 76 of 2022.

(Shailendra Singh, J)

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