

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63839 of 2022

Arising Out of PS. Case No.-136 Year-2020 Thana- NOKHA District- Rohtas

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VIMALA DEVI @ VIMALA KUAR Wife of Late Nagendra Choudhary R/V-
Raghunathpur, P.S- Nokha, Dist- Rohtas at Sasaram (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-01-2023 Heard the learned counsel for the

petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Nokha P.S. Case No. 136 of 2020
for the offence registered under Sections 302 and
120(B) of the Indian Penal Code and Section 27 of
the Arms Act.

The allegation is regarding the husband of
the deceased victim lady having murdered the
deceased victim lady by firing gun shots on her
head resulting in her instantaneous death. The
petitioner herein is stated to be the mother-in-law
of the deceased victim lady.



The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case, is having a clean antecedent and she is languishing in custody since 28.07.2022.

The learned counsel for the petitioner has submitted that the petitioner has got no role to play in the alleged occurrence inasmuch as the incident in question has been effected by the husband of the deceased victim lady, as is apparent from the investigation carried out by the police, hence the petitioner be granted bail.

Per contra, the learned A.P.P. appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the materials available in the case diary, this Court finds that there is minuscule evidence to connect the petitioner with the alleged



crime apart from the fact that the main accused in the present case is the husband of the deceased victim lady, who is stated to have fired gun shots on the head of the deceased victim lady resulting in her instantaneous death, hence I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail upon her furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-cum-Sub-Judge, Rohtas at Sasaram in connection with Nokha P.S. Case No. 136 of 2020.

(Mohit Kumar Shah, J)

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