

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6354 of 2024

Arising Out of PS. Case No.-375 Year-2023 Thana- BAISI District- Purnia

=====

Mini Devi, W/o Billu Mandal, R/o Village- Hatgachhi, P.S. -Baisi, Distt-
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

Mr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

5 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Baisi P.S. Case No. 375 of 2023 registered for the alleged offences under Sections 302/201/34 of the Indian Penal Code.

3. As per prosecution case, the informant named the petitioner and other co-accused Billu Mandal for being involved in the murder of her mother.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. The basis for raising suspicion is that 15 days prior to the occurrence, some hot talk took place between the petitioner and the mother of the informant. There is



no eye witness to the alleged occurrence and during investigation the fact came to the knowledge of all that the deceased was having illicit relationship with Billu Mandal and others. Except for suspicion, there is nothing against the petitioner and post mortem report shows the cause of death to be asphyxia and injuries caused by sharp weapon. The allegation of causing fatal injury is not specific against any person. The petitioner is relative of the deceased and there is no occasion for her to commit such crime. The learned counsel further submits that other co-accused persons, who are sons of the petitioner, have been granted anticipatory bail by this Court vide order dated 09.04.2024 passed in Cr. Misc. No.6781 of 2024. The learned counsel further submits that the petitioner, who is lady, is in custody since 24.09.2023 and is having clean antecedent. The charge sheet has been submitted.

5. Learned APP opposes the submissions made on behalf of the petitioner. The learned APP submits that the petitioner is wife of co-accused Billu Mandal and deceased was having illicit relationship with co-accused husband of the petitioner and other persons as well and some dispute arose over this point and the petitioner along with other co-accused persons committed the murder of the mother of the informant.

6. Having regard to the facts and circumstances of the



case and submissions made hereinabove and considering the lack of substantive material to connect the petitioner with the offence as alleged and further considering the possibility of false implication and also considering the submission of charge sheet and the period of custody of the petitioner, she is directed to 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 learned Chief Judicial Magistrate, Purnea, in connection with Baisi P.S. Case No. 375 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the 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.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

U		T	
---	--	---	--

