

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24069 of 2024

Arising Out of PS. Case No.-477 Year-2023 Thana- BAHADURPUR District- Darbhanga

Julekha Khatoon @ Julekha W/O Late Abdul Shakoor R/O Village- Pardi,
Padri, P.S.- Bahadurpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shishir Shwetank Sudarshan, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr. Shishir Shwetank Sudarshan, learned
counsel for the petitioner and Mr. Ram Bilash Roy Raman,
learned APP for the State.

2. Petitioner seeks bail, who is in custody since
29.09.2023, in connection with Bahadurpur P.S. Case No. 477
of 2023, F.I.R. dated 29.09.2023 registered for the offences
punishable under Section 302 of the Indian Penal Code.

3. Allegation against the petitioner is that she was
accompanying with the informant's grand son aged about four
years and his dead body was found in a pond.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has been falsely
implicated in the present case. He further submits that from
perusal of the F.I.R. it appears that the informant is not an eye
witness of the alleged occurrence and only afterthought



informant has implicated the petitioner as accused in the present case. He further submits that the informant is a close relative of the victim and as per Aadhar card of the petitioner she is aged about 97 years of old and except the suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.10.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner was accompanied with the informant's grand son and apart from that she has confessed his guilt before the police.

6. Considering the aforesaid facts and circumstances of the case and the fact that the petitioner having clean antecedent and except the confessional statement of the petitioner, nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence as well as petitioner is old lady aged about 97 years of old, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 477 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

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