

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22215 of 2024

Arising Out of PS. Case No.-110 Year-2022 Thana- JAMHOR District- Aurangabad

Sapana Kumari D/o- Mukoon Saw @ Mukul Saw R/o- Mahamadpur Ps- Anti
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of her
arrest in a case registered for the offences punishable under
Sections 302, 201 and 34 of the IPC.

3. The learned counsel for the petitioner submits that
petitioner being wife of the deceased has been falsely implicated
in the instant case by the informant who is her elder brother-in-
law.

4. It is further submitted that after the death of the
brother of the informant in a train accident, the informant
deliberately in order to oust the petitioner from property got her
implicated in the instant case based on a complaint case filed
after two and a half months of the occurrence. It is further
submitted that the death of the deceased took place on



11.01.2022 and the complaint case came to be instituted on 26.03.2022 and based on the complaint the instant FIR came to be instituted.

5. It is next submitted that the informant in the FIR alleges that his brother was married to the petitioner in the year 2020, but she did not like his brother and thus fell in love with his material nephew (Bhagina) and on account of her illicit relationship with her material nephew, the deceased was killed and his dead body thrown on the railway track. The learned counsel, thereafter draws the attention of the Court to Annexure-2, which is the postmortem report of the deceased wherein it is recorded- Opinion-the above injury, severe hemorrhage, shock, C.R. failure and leads to death caused by hard and blunt substance in running stage (R.T.A.) Train accident.

6. The learned counsel submits that even the postmortem report does not corroborate the allegation as alleged in the FIR. It is next submitted that investigation in the case is still going on and the petitioner will not abscond, rather will cooperate in the investigation.

7. The learned APP opposes the anticipatory bail application.

8. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Jamhore P.S. Case No.110 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting her as and when required, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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