

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16672 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- SINGHWARA District- Darbhanga

Pramila Devi W/O- Lalit Yadav R/O- Village- Thakaniya, P.S.- Singhwara,
Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Smiti Bharti, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Singhwara P.S. Case No. 195 of 2023, registered for the alleged offence under Sections 302/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner and her son took away the minor son of the informant to a mango orchard and later on, dead body of son of the informant was found hanging in the said mango orchard.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The prosecution story is not believable as there is no eye witness to the alleged occurrence. The petitioner has been



named in this case merely on suspicion. The petitioner was not seen at or near the place of occurrence by any person who was examined in course of investigation. Rather, one of the witnesses examined during investigation stated that he saw the deceased going towards the orchard with rope in his hand all alone. The allegations are levelled against the petitioner and her minor son but in course of investigation, the police did not find any evidence against the minor and only against this petitioner the proceeding was initiated. Further, the petitioner is a lady and it is not believable that she hanged the son of the informant by herself since the postmortem report shows death was caused by hanging. The petitioner is having criminal antecedent of one case, in which, she is on bail.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned APP submits that there is specific allegation against the petitioner and her son that they took away the son of the informant towards mango orchard and thereafter his dead body was found hanging.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague nature of allegation against the petitioner without any substantive material and further considering the possibility of



false implication, let the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Darbhanga/concerned court in connection with Singhwara P.S. Case No. 195 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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