

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24719 of 2024

Arising Out of PS. Case No.-183 Year-2023 Thana- TARARI District- Bhojpur

Neha Kumari Daughter of Kanhaiya Giri Resident of Village - Itimaha, P.S. -
Piro, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Tarari
P.S. Case No. 183 of 2023 instituted for the offences under
Sections 302, 201/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of being involved in commission of murder of the
Informant's son. It is further alleged that after commission of
murder, they buried the dead-body at the courtyard of the
matrimonial house of the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against her and has falsely been implicated in the present case



due to ulterior motive. He submits that the petitioner is the wife of the deceased and the family members including the Informant were not happy with the marriage. He further submits that actually the deceased has committed suicide after hanging himself and the family members, due to fear, buried the dead-body in the courtyard of their house. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. There is no eye-witness to the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 19.10.2023 without any rhymes or reason. The charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Babloo Paswan @ Devashish Kumar has been granted bail by this Court vide order dated 01.05.2024 passed in Cr. Misc. No. 19827 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named in the F.I.R. and the nature of offence levelled against her is heinous. In Para-23, 24 & 25, the witnesses have supported the prosecution case. In the



postmortem report, the cause of death is kept reserved awaiting viscera report.

7. Considering the nature of allegation and there being direct involvement of the petitioner in committing murder of the deceased, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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