

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30318 of 2024

Arising Out of PS. Case No.-164 Year-2022 Thana- GHOGHARDIHA District- Madhubani

Kavita Devi Wife of Raushan Kumar Mandal Resident of Village - Aanand
Nagar Ghoghardiha, P.S.- Ghoghardiha, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 120B of the Indian Penal Code.

3. According to the FIR, the informant alleged that some unknown persons came at her house and took away her father-in-law namely, Laxhman Mandal outside and he did not return. After that, dead body of the father-in-law of the informant was recovered. The informant raised suspicion that FIR named accused persons are indulged in hatching conspiracy to commit murder of her father-in-law in connivance with others.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The petitioner has falsely been implicated in this case on the basis of suspicion. It is further submitted that the petitioner is informant of this case but during course of investigation, she has turned into accused by the I.O. and her statement was recorded wherein, she confessed her guilt. The petitioner (informant) stated that she was in love affairs with the co-accused and when the deceased saw them in objectionable condition thereafter she along with co-accused committed murder of her father-in-law but her confessional statement is not admissible in the eye of law. Except confession, no any consistent material has come against the petitioner. There is also not eye witness of the alleged occurrence. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 23.1.2023. Moreover, co-accused Bajrangi Mandal has already been enlarged on bail by this Court vide order dt. 27.7.2023 passed in Cr. Misc. No. 31967 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as



custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ghoghardiha P.S. Case No. 164 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

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