

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43796 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- KHUTAUNA District- Madhubani

Sunaina Devi Wife of Late Guddu Kamat Resident of Village - Chharrapatti,
P.S.- Khutauna, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2024 Heard Mr. Jitendra Kumar Bharti, learned counsel
for the petitioner and Mr. Mohammad Sufyan, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
06.02.2023, in connection with Sessions Trial No. 574 of 2023
arising out of Khutauna P.S. Case No. 04 of 2023, F.I.R. dated
09.01.2023 registered for the offences punishable under
Sections 302, 120(B) of the Indian Penal Code and Section 27
of the Arms Act.

3. The case relates to the murder of the informant's
son.

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 the



petitioner is not named in the F.I.R and the name of the petitioner has been transpired during investigation on the basis of self confessional statement of the petitioner and except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that petitioner is wife of the deceased and informant is father-in-law of the petitioner and even no one has seen the present occurrence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.02.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, 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 Additional District & Sessions Judge-I, Jhanjharpur, Dist- Madhubani in connection with Sessions Trial No. 574 of 2023 arising out of Khutauna P.S. Case No. 04 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.

(Rajesh Kumar Verma, J)

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