

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48007 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- JIRADEI District- Siwan

Priyanka Devi wife of Ashok Yadav Village- Harpur Ps- Andar Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Jiradei
P.S. Case No. 51 of 2024 instituted for the offences under
Section 302 of the Indian Penal Code.

3. Prosecution case, in short, is that, the brother of the
informant had told his staff that he was going towards the
village Khargi Rampur. On the next day, the dead body of the
brother of the informant was found lying in the field of wheat
with several knife injuries on his body.

4. Learned counsel for the petitioner submitted that the
petitioner is an innocent lady and has falsely been implicated in
the present case. Petitioner is not named in the F.I.R. Learned
counsel further submitted that from perusal of paragraph nos.



32, 36, 41 and 45 of the case diary, the evidence of participation of this petitioner in the alleged occurrence arose but there is no direct evidence against the petitioner that she committed the murder of the deceased. Learned counsel further submitted that petitioner is a lady and has two children aged about 7 and 3 years respectively, and learned counsel, therefore, urged that she may be released on bail. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.04.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submits that from perusal of the case diary, it appears that this petitioner is the conspirator of the alleged occurrence, and her involvement in the alleged incident cannot be discarded.

6. Considering the aforesaid facts and circumstances of the case, petitioner being lady having no direct evidence against her, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Jiradei P.S. Case No. 51 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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