

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50598 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- BAJPATTI District- Sitamarhi

Shivam Devi Wife of Late Saroj Rai D/o Ram Pratap Rai, Resident of Village
- Narayanpur, P.S.- Pupri, District - Sitamarhi, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bajpatti P.S Case No. 116/2023 dated 09.04.2023 registered for the offence punishable u/s 302 and 120B read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant's son with sharp cutting weapon causing severe injury and during the course of treatment the informant's son died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is wife of the deceased. Learned



counsel has submitted that the petitioner used to live at her parental house. The other co-accused person has already been granted bail by this court *vide* order dated 14.05.2024 passed in Cr. Misc. No. 34283/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. As per para. 62 of the case diary, the petitioner has confessed her guilt and has stated that she was actively involved in the conspiracy of the murder of her husband. Further, in para. 6, 7, 8, 9, 73 and 74 of the case diary the witnesses have supported the prosecution story.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Bajpatti P.S Case No. 116/2023, pending in the court of learned C.J.M, Sitamarhi.

7. This application stands rejected.

(Chandra Prakash Singh, J)

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