

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54389 of 2024

Arising Out of PS. Case No.-760 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

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Suman Kumari Wife Of Jyoti Kumar @ Sudhir Kumar R/V- At Present
Village- Balwa Kuari, P.S.- Sadar Hajiur, Distt.- Vaishali, Bihar, Prermanent
Resident Of Manjhauli, P.S.- Bidupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anand Kumar Tiwari, Advocate
For the State	:	Mr. Yogendra Kumar, APP
For the Informant	:	Mr. Shivjee Singh, Advocate

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

ORAL ORDER

5 22-11-2024 Learned learned counsel for the petitioner, learned APP

for the State, learned counsel for the informant and perused the

case diary.

2. The petitioner seeks bail in Hajipur Sadar P.S. Case

No. 760 of 2023, instituted for the offences punishable under

Section 302/34 of the Indian Penal Code and Section 27 of the

Arms Act.

3. The prosecution case, in short, is that, while

informant was sleeping, some unknown miscreants entered into

her house and shot dead her husband and fled away from the

spot.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner is not named in the FIR and in fact, she herself is informant of the case. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, namely Prabhat Kumar, and the same has no evidentiary value in the eye of law. The petitioner is in custody since 06-01-2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph No. 78 of the case diary, it is submitted that petitioner has confessed her guilt and she is the conspirator of the alleged occurrence. Hence, the petitioner does not deserve the privilege of bail. Prayer for bail of other co-accused has been rejected by this Court *vide* order dated 21-09-2024, passed in Cr. Misc. No. 50373 of 2024.

6. Considering the nature of accusation against the petitioner and the gravity of offence, this Court is not inclined to grant bail to the petitioner. The prayer is *rejected*.

7. The Trial Court is directed to expedite the trial as



expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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