

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60224 of 2024

Arising Out of PS. Case No.-352 Year-2023 Thana- KAKO District- Jehanabad

Rajanti Kumari @ Rajanti Devi W/O Late Santu Kumar R/O Village-
Jamalpur, P.S- Kako, Distt.- Jehanabad, D/O Madan Prasad, Resident Of
Kisitpur, P.O- Sanda, P.S- Dhanarua, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

Ms. Swati Parmar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 26-09-2024 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the informant.
2. The petitioner seeks bail in anticipation of her
arrest in a case registered for the offences punishable under
Sections 306 and 34 of the IPC in connection with Kako P.S.
Case No.352 of 2023.
3. The learned counsel appearing on behalf of the
petitioner submits that petitioner is a person with clean
antecedent and is a women and the informant alleges that on
24.10.2023 his son had gone to sleep in the Dalan where he kept
chatting with his wife (petitioner) from 12:27 to 04:00 AM on
his mobile, it is next alleged that informant in the morning at
11:00 AM went to the Dalan when he found that the door of the



Dalan bolted from inside, accordingly the lock was broken when the informant saw the dead body of his son hanging with a rod fixed with the wall, accordingly alleges that petitioner along with the in-laws of his son are involved in the occurrence as the petitioner had illicit relation with one Vicky Kumar.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant based on suspicion. It is next submitted that the petitioner vehemently denies that she was having any extra material relation with Vicky Kumar. It is further submitted that had the petitioner been involved with Vicky Kumar then definitely the deceased would not have called and talked to her for three hours. It is further submitted that deceased never instituted any case either criminal or civil nor filed a divorce case seeking divorce from the petitioner on the ground that she was involved in extra marital relation. It is further submitted that the dead body of the deceased was found at his Dalan and the room was locked from inside. It is also submitted that whether the death was homicidal, suicidal or accidental is an aspect of investigation, but then the implication of the petitioner has been made based on suspicion when she was not even present at the place of occurrence when the



occurrence is alleged to have taken place.

5. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that the entire allegation hinges around suspicion and petitioner was not even present at the place of occurrence when the occurrence is alleged to have taken place. The learned counsel appearing on behalf of the informant submits that in the event, if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Kako P.S. Case No.352 of 2023,



subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

