

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65499 of 2024**

Arising Out of PS. Case No.-443 Year-2023 Thana- TAJPUR District- Samastipur

Shitali Devi, son of Late Ram Naresh Ray, resident of village -Chakpahar,
P.S- Tajpur (OP Halai), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjai Kumar Singh, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 06-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner seeks bail in connection with Sessions Trial No.154/2024 arising out of Tajpur (Halai OP) P.S. Case No. 443 of 2023, registered for the alleged offence under Sections 302, 120B, 201/34 of the Indian Penal Code.

03. As per prosecution case, *Chaukidar* recorded his *fardbeyan* on recovery of a dead body, which was subsequently identified as the husband of this petitioner and during further investigation, the involvement of the petitioner and other co-accused persons came to light.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The deceased was convicted for killing of his own brother and after undergoing sentence of life imprisonment, he had returned to his village. The elder brother of the deceased with ulterior motive has falsely implicated the petitioner and her son. Except for confessional statement of the petitioner and other co-accused persons, there is no material to show the involvement of this petitioner as nothing incriminating has been found against the petitioner. The petitioner, who is a lady, is in custody since 11.08.2023. The petitioner is having clean antecedent. The learned counsel further submits that co-accused Sakindar Ray @ Sakindar Kumar has been granted anticipatory bail by this Court vide order dated 18.04.2024 passed in Cr. Misc. No.9585 of 2024.

05. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the lack of substantive material against the petitioner to connect her with the offences as alleged and further considering the period of custody along with submission of charge sheet and clean antecedent of the petitioner, the petitioner above named is directed to 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 learned Additional Sessions Judge-IX, Samastipur, in connection with Sessions Trial No.154/2024, arising out of Tajpur (Halai OP) P.S. Case No. 443 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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