

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66914 of 2024

Arising Out of PS. Case No.-283 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Rekha Devi W/o Kameshwar Sahani R/o Village- Bhagwanpur, P.S.-
Pakridayal, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Pakridayal P.S. Case No. 283 of 2023, registered on 18.12.2023 for the alleged offences under Sections 304B, 201/34 of the Indian Penal Code.

3. As per prosecution case, the sister of the informant was married with co-accused brother-in-law of the petitioner. The allegation against the petitioner is that the petitioner and other co-accused have committed murder of the sister of the informant in the background of illicit relationship of the petitioner with co-accused husband of the deceased.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Though the FIR has been registered under Section 304B of



the IPC, no offence under Section 304B of the IPC is made out since it is the averment of the informant in the FIR that the marriage was solemnized 8-10 years back. The petitioner is the wife of brother of the husband of the deceased and she has no concern with the affairs of the victim or her family and the two families are separate in house and mess. The deceased was short tempered and after some quarrel, she left her matrimonial home without informing anybody and this fact was made known to the informant by the husband of the deceased. There is no allegation of any overt act against the petitioner and allegation of illicit relationship of the petitioner with the husband of the deceased is quite false and baseless. There is no material to show any such occurrence. The petitioner is in custody since 23.06.2024 having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is the sister-in-law of the husband of the deceased and further considering the period of custody 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 Chief Judicial Magistrate, East Champaran, Motihari/concerned Court in connection with Pakridayal P.S. Case No. 283 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.

(Arun Kumar Jha, J)

DKS/-

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

