

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72180 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- SUHAIL District- Gaya

Asha Devi @ Phul Kumari Devi W/o Late Lalan Bhuiyan R/o Village- Viraj
Tola- Bhuidohari, P.S.- Sohail, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Pranav Kumar

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

ORAL ORDER

7 11-12-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Sohail P.S. Case No. 43 of 2023 dated 03.09.2023 registered for the offences punishable u/ss 302, 328 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the marriage of the informant's sister was solemnized with the co-accused Nandlal Bhuiyan in the year 2012. Out of said wedlock, no child was born to his sister, due to this reason all the in-laws family members used to abuse and assault his sister. On 29.08.2023, the petitioner and the co-accused persons killed the informant's sister by administering poison to her.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 29.08.2023 but the F.I.R. was lodged on 03.09.2023 and there is no explanation for this delay. Learned counsel has further submitted that the deceased had committed suicide due to depression. Learned counsel has further submitted that the petitioner is the *Gotni* of the deceased and she has no concern with the alleged offence. The petitioner is a lady. The petitioner has clean antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the *Gotni* of the deceased.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sherghati, Gaya in connection with Sohail P.S. Case No. 43 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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