

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74821 of 2023

Arising Out of PS. Case No.-221 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

MANJU DEVI W/O SHRI BHAGWAN SINGJ R/O VILLAGE-BETARI,
P.S. BHABHUA, DISTRICT KAIMUR AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan
For the Opposite Party/s	:	Mr. Ajay Kumar Jha
For the informant	:	Mr. Sudhanshu Prakash
	:	Ms. Supriya Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 05-03-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Chainpur Police Station Case No. 221 of 2023, disclosing offences under Sections 302, 201 of the Indian Penal Code.
3. As per the First Information Report, on 25.07.2023, in the night, informant's husband received a call for booking of his auto and after that he left his home along with the auto. After an hour when the informant tried to call the deceased on his mobile phone, she got no response. On 26.07.2023, the husband of the informant was found murdered and his dead body was lying near canal road. His auto was also standing there. Informant alleged that



the petitioner had illicit relations with her husband and the petitioner has committed murder of her husband along with other accused persons.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused on the basis of suspicion only along with other unknown persons. He further submits that during course of investigation, no cogent material has come against the petitioner to connect her with the present offence. The allegation against the petitioner of having illicit relationship with the husband of the informant is false and fabricated.
5. On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that on the date of occurrence, the CDR of the mobile of the petitioner and the deceased were showing the similar location for a long period of time. In paragraph 49 of the case diary, independent witness has stated that it was the husband of the petitioner who told the witness that the deceased used to come to the house of the petitioner, accordingly, her submission is that unless the custodial interrogation is done by the police of the petitioner and others, the real truth will not come to picture.



6. Having regard to the submissions made on behalf of the parties and taking into consideration the material on record and the CDR of the petitioner as well as the deceased having similar location on the date of occurrence and a strong suspicion has been raised by the informant against the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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