

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76055 of 2023

Arising Out of PS. Case No.-92 Year-2023 Thana- DHORAIYA District- Banka

Khusboo Devi Wife Of Late Birendra Sah Village- Jakha, Police Station
-DHORAIYA, District- Banka

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Malendu

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 306/34 of the Indian Penal Code.

3. As per allegation in the FIR, informant's sister (since deceased) was married to co-accused Subhash Sah. He used to torture and provoke her to commit suicide because she always protested her husband for developing extra marital relationship with the petitioner. Thereafter on the alleged date of occurrence, she committed suicide by hanging herself.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and she has been falsely implicated in this case. Marriage of the informant's sister with co-accused Subhash Sah took place before 18 years and blessed with four children out of the said wedlock. Petitioner is close relative of the husband of deceased and she occasionally used to come at their home. As per postmortem as well as inquest report, no any external injury was found over the body of the deceased. Deceased herself committed suicide by hanging, which is evident from medical report. Petitioner has got no criminal antecedent and languishing in judicial custody since 01.08.2023. Similarly situated co-accused Subhash Sah has been granted bail vide order dated 31.01.2024, passed in Cr. Misc. No. 72204 of 2023 by this Court.

5. The application for bail is opposed by learned APP for the State and petitioner is husband of the deceased.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above



named petitioner is directed to be enlarged on bail on
furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)
with two sureties of the like amount each to the satisfaction
of the learned C.J.M, Banka in connection with Dhoraiya P.S.
Case No. 92 of 2023.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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

