

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79339 of 2023

Arising Out of PS. Case No.-466 Year-2023 Thana- BELAGANJ District- Gaya

Vibha Kumari Wife Of Sri Rajesh Kumar @ Rajesh Kumar Sharma R/O
Mohalla- Ramna Road Patiyama House, P.S.- Civil Lines, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh Mr. Ajay Thakur, Sr. Adv Mr. Ritwik Thakur
For the Opposite Party/s :		Mr. Sunil Kumar Pandey
For the Informant	:	Mr. Rajendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 307, 326, 120(B) and 34 of the Indian Penal Code and Section 27 of Arms Act. Later on, section 302 of the IPC was added.

3. Allegation against this petitioner along with other co-accused persons is that they made conspiracy and hired some unknown miscreants who fired upon the son of the informant, namely, Dipu Kumar due to which he sustained fire arm injury and he died during the course of treatment.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. She has falsely been implicated in this case. She is mother-in-law of the informant and she has no concern in killing the deceased. Informant is not the eye witness of the alleged occurrence, only on the basis of previous dispute, she tried to implicate this petitioner in the present case. It is further submitted from para-9 of this petition that it is evident from FIR that the deceased was younger brother of son-in-law of the petitioner and the daughter of the petitioner has earlier lodged a case under Section 498(A) of IPC against the present prosecution party. No any consistent evidence has come against the petitioner in respect of commission of murder of the informant's son. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, she is languishing in judicial custody since 21.07.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that this petitioner along with other made conspiracy and committed murder of the informant's son by hiring some unknown criminals. It is further submitted from paras-3, 4 and 106 of the case diary, witnesses supported the prosecution case.



6. Having heard learned counsel for the parties and considering the facts petitioner being a lady and her period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Belaganj P.S. Case No. 466 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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