

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85663 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- AMAS District- Gaya

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Khusboo Devi wife of Deepak Kumar Village- Narayanpur, Tola Jagarnath,
Bigha, P.S. Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Amas
P.S. Case No. 170 of 2023 instituted for the offences under
Section 302 of the Indian Penal Code.

3. As per allegation, the petitioner has killed her two
years child namely Yash Raj by compressing his neck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to family dispute. He further submits that it is unbelievable
that the mother will kill her own child. There is no eye-witness
to the occurrence and the case has been lodged merely on



suspicion. The witness namely Basanti Kumar has narrated a different story. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 11.05.2023. Charge has already been framed.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that there is a direct/specific allegation against the petitioner of killing her two years child by compressing his neck and the inquest report also corroborate the prosecution case and, thus, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner is a lady and charge has already been framed, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Amas P.S. Case No. 170 of 2023, subject to the following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.



(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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