

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3258 of 2024

Arising Out of PS. Case No.-220 Year-2022 Thana- CHORAUT District- Sitamarhi

VINA DEVI Wife of Shanker Mukhiya Resident of Village-Jadupatti, P.S.-
Choraut, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of her arrest in a case registered in connection with Choraut PS Case No. 220 of 2022 dated 01.12.2022 for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and is the first of Shankar Mukhiya. It is next submitted that the deceased was in love with Shankar Mukhiya and had eloped. But after some time, the informant came to know that her daughter has been killed. As such, the instant FIR was instituted alleging that Shankar Mukhiya along with his wife might have killed her daughter. Learned counsel submits that the petitioner



has falsely been implicated in the present case based on suspicion. It is also submitted that till date the body of the deceased has not been traced and the petitioner, being the first wife of Shankar Mukhiya, came to be implicated. It is next submitted that petitioner herself was aggrieved by the conduct of her husband that he had disowned her but the informant based on suspicion implicated the petitioner. It is further submitted that the petitioner will not abscond rather will co-operate in the investigation and would present herself as and when required by the Investigating Officer.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Hamza Alam, learned Judicial Magistrate 1st Class, Sitamarhi where the case is pending in connection with Choraut PS Case No. 220 of 2022 , subject to the conditions laid down under Section 438(2) of the Cr.P.C.



6. The application stands allowed.

7. However, it is made clear that if it is brought to the notice of the learned trial court that petitioner, despite giving assurance to this Court, is not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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