

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76673 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

SHILA DEVI WIFE OF LATE CHANDARDEV YADAV RESIDENT OF
VILLAGE - SHEKHWARA, P.S. - MAGADH UNIVERSITY, BODHGAYA,
DISTRICT - GAYA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. B.N. Pandey APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 23-01-2025 Heard Mr. Sunil Kumar Yadav, learned counsel for
the petitioner and Mr. B.N.Pandey, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

3. The case of the prosecution is that the husband of the informant has gone to his Maternal Grandfather house. On 13.05.2024, the informant received an information on her mobile that her husband was not well. On this father-in-law of the informant went to the house of maternal grandfather where he found that Lalu Kumar was laying conscious. He was rushed to Magadh Medical Hospital where he was declared dead. The informant suspects that the petitioner along with two others



have killed her husband.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in connection with the present case. It is further submitted that during the course of investigation, nobody has come to say that he has seen the occurrence. All witnesses have only stated the fact which is narrated in the First Information Report (FIR). In paragraph-54 of the case diary one witness, namely, Dr. Surendra Nath Pathak has stated that at 11:00 A.M. while he was walking on his roof, he heard the sound of crying of Lallu Kumar and was speaking loudly that now he will not remain. This witness has further stated that it was his habit of making noise i.e. why he did not took care of that. Further submission is that there was dispute between Lallu Kumar and the accused persons named in the FIR but from perusal of the case diary, there is no material to implicate the petitioner in connection with the present case.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Magadh University P.S. Case No. 94 of



2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class cum Additional Munsif VIth, Gaya.

(Ashok Kumar Pandey, J)

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