

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84963 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- PATEPUR District- Vaishali

Shardha Devi @ Sharda Devi, W/o Late Bharat Choudhari, R/o vill -
Simarwara Durgapur, P.S. - Patepur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 09-04-2025 Heard Mr. Ravi Bhardwaj, learned counsel for the

petitioner and Mr. Mohammad Sufyan, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Patepur P.S. Case No. 165 of 2024 dated 10.06.2024 registered
for the offence punishable under section 302 read with section
34 of the Indian Penal Code.

3. The main submissions advanced by petitioner's
counsel are that the petitioner is a lady and has been languishing
in jail since 14.06.2024 and admittedly, the informant is not an
eyewitness of the commission of the alleged murder and during
investigation, no one claimed to have seen the occurrence and
on account of some past litigations running in between both the
parties, the informant suspected this petitioner and others to be



involved in the alleged crime but in fact, no occurrence as described in the FIR took place as according to the FIR, 6 persons, including the petitioner, killed the informant's husband by assaulting him but as per the postmortem report of the deceased, cause of the death of the deceased has been opined as shock due to Myocardial Infarction, which happens due to blockage in arteries of heart and in external examination, the Doctor concerned did not find external injury except one abrasion on the right knee joint and the said finding is completely against the allegations made in the FIR. It is further submitted that the son of the co-accused Rajendra Chaudhary was murdered in the year 2017, for which Patepur P.S. Case No. 99/2017 was lodged against the deceased and others, and due to that enmity, a false case was prepared when the informant's husband died an unnatural death due to his heart problem. It is further submitted that as per FIR, the informant received the information of the occurrence on 08.06.2024 and on the same day, the dead body was recovered and sent for autopsy and the inquest report was also prepared on the same day but the FIR was lodged by the informant on 10.06.2024 by filing a written application which shows that the FIR was registered afterthought, making a false story.



4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions advanced by petitioner’s counsel and mainly the facts that the petitioner is a lady and has been languishing in jail since 14.06.2024 and the prosecution has not been able to point out any direct evidence to show the petitioner’s involvement in the alleged crime, in my opinion, it is a fit case for the grant of bail to the petitioner. Accordingly, let the petitioner named above be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Patepur P.S. Case No. 165 of 2024.

(Shailendra Singh, J)

annu/-

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

