

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88 of 2025

Arising Out of PS. Case No.-273 Year-2023 Thana- CHAUTHAM District- Khagaria

Kanchan Devi Wife of Arun Sah Resident of Village - Sonbarsha, P.S. -
Chautham, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Santosh Kumar Singh, learned counsel
for the petitioner and Mr. Navin Kumar Pandey, learned A.P.P.
for the State.

2. The petitioner seeks bail, who is in custody since 16.09.2024, in connection with Chautham P.S. Case No. 273 of 2023, FIR dated 03.09.2023 registered for the offence under Sections 302 and 34 of the Indian Penal Code but the police after investigation submitted the charge-sheet under Section 306 of the Indian Penal Code.

3. As per the prosecution case, petitioner along with other co-accused person has killed and hanged daughter-in-law of the informant with fan.

4. Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is



innocent and she has falsely been implicated in this case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that from a bare perusal of the FIR it appears that before the death of deceased petitioner and co-accused Nunudai Devi quarreled with deceased on certain domestic issue and except the aforesaid no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation has submitted charge-sheet under Section 306 of the Indian Penal Code in this case against the petitioner. The petitioner is rotting in judicial custody since 16.09.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner has clean antecedent and police has submitted the charge-sheet under Section 306 of the Indian Penal Code, let the, above named, petitioner be released on bail 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, Khagaria in connection with Chautham P.S. Case No. 273 of



2023 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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