

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.666 of 2015

Arising Out of PS.Case No. -115 Year- 2014 Thana -SAHAR District- BHOJPUR

1. Devanti Devi @ Dewanti Devi Wife of Gupteshwar Rai Resident of Ekwari, P.S. - Sahar, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Sumiran Rai (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 30-01-2015 Heard both sides.

The petitioner apprehends his arrest in Sahar P.S. Case No. 115 of 2014, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Renu Devi the wife of the deceased made allegation that the petitioner and her son took her husband for partition of money received from sale of trees. It is alleged that Munna and his cousin Umakant Rai killed her husband and petitioner also conspired in killing her husband.

Learned counsel for the petitioner submits that only allegation against the petitioner is that the petitioner and her son took Rameshwar Kumar, but on the next day nobody has said that

the petitioner was ever seen with the deceased or her son. Even during the course of investigation, the witnesses made allegation against Munna Kumar, Umakant Rai, but the petitioner was not even present along with them.

Having considered the facts that only suspicion is raised against the petitioner that she might have conspired with her son and Umakant Rai son of her sister to kill Rameshwar Kumar, there is no tangible evidence to show the involvement of the petitioner, she, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Sahar P.S. Case No. 115 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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