

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Criminal Appeal (D.B.) No. 828 of 2018

Seema Devi

.....Appellant

Versus

The State of Jharkhand

....Respondent

**CORAM: HON'BLE MR JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR JUSTICE RAJESH KUMAR**

For the Appellant

: Mr. Pratiush Lala, Adv.

For the State

: Mrs. Priya Shrestha, Spl. P.P.

I.A. No. 6454 of 2021

08/10.05.2022 Heard Mr. Pratiush Lala, learned counsel for the appellant and Mrs. Priya Shrestha, learned Spl. P.P.

The prayer for bail of the appellant was earlier rejected in I.A. No.7804 of 2019 vide order dated 12.11.2020.

Submission has been advanced by the learned counsel for the appellant that there are no eye-witnesses to the occurrence. It has been submitted that though P.W.-1 has stated about the presence of the appellant in the house of her husband but the same appears to have been falsified by the evidence of P.W.-2. So far as P.W.-4 is concerned, learned counsel for the appellant submits that her statement was never recorded by the police under Section 161 Cr.P.C. It has also been stated that the presence of the appellant has not been ascertained by the prosecution and the appellant has remained in custody for a period of nine years and she deserves to be released on bail.

Learned Spl. P.P. has opposed the prayer for bail of the appellant.

It appears that P.W.-1 has categorically stated about hearing some sound coming from the house of the deceased at which she had asked the appellant who had disclosed that he was talking in his sleep. Subsequent thereto it appears that foul smell was coming from the house of the deceased and thereafter the appellant is said to have locked the house and had absconded. The evidence of P.W.-1, P.W.-2 and P.W.-4 evokes strong circumstances regarding the commission of murder by the appellant

In such view of the matter, therefore, we are not inclined to admit the appellant on bail. Accordingly, the prayer for bail of the appellant stands rejected at this stage.

I.A. No.6454 of 2021 stands rejected.

(Rongon Mukhopadhyay, J)

(Rajesh Kumar, J)