

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No.1153 of 2019

Boronika Ekka
@ Biro

.... Appellant

Versus

The State of Jharkhand

.... Respondent

CORAM: HON'BLE MR. JUSTICE H.C. MISHRA
HON'BLE MRS. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Binod Kr. Dubey, Advocate

For the Respondent : Ms. Priya Shrestha, Advocate

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The matter was taken up through Video Conferencing. Learned counsels for the parties had no objection with it and submitted that the audio and video qualities are good.

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I.A. No.3339 of 2020

4/25.06.2020 Heard learned counsel for the appellant and learned counsel for the State on the interlocutory application filed by the appellant for granting bail during the pendency of the appeal.

Though the appellant had faced the trial along with her husband for the offence under Section 302/34 of the Indian Penal code, but the husband of this appellant has been acquitted by the Trial Court below.

The dead body of the deceased was found in the house of the appellant and though there were some bruises on the dead body, but the evidence of the Doctor shows that the deceased was suffering from acute liver decease and even in the *post mortem*, sufficient quantity alcohol mixed with water was found in the stomach of the deceased. Except circumstantial evidence, there appears to be no material against the appellant, except that the informant has stated in his evidence that this appellant had informed him that she had assaulted the deceased. However, there is no such statement in the FIR.

In the facts and circumstances of the case, we are inclined to release the appellant, being a lady, on bail. Accordingly, appellant Boronika Ekka @ Biro is directed to be released on bail, during the pendency of this appeal, on furnishing bail bond of Rs.10,000/- (ten thousand), with two sureties of the like amount each, to the satisfaction of learned Additional Session Judge-IV, Chatra, in connection with S.T. No. 158 of 2018.

The aforesaid interlocutory application is accordingly, allowed. .

(H. C. Mishra, J.)

(Rajesh Kumar, J.)