

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48081 of 2016

Arising Out of PS.Case No. -152 Year- 2014 Thana -SHERGHATI District- GAYA

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1. Baby Devi Wife of Khesarai
2. Tinku @ Naka Babu Son of Sani Chaudhary Both resident of Village -
Chakand Adda P.S- Chandauti District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 29-11-2016 Heard the counsel for the petitioners and the State.

The two petitioners pray for grant of bail in Dobhi P.S.

Case No. 152 of 2014 registered under sections 302 and 201/34
IPC.

The crime was allegedly committed in June, 2014
wherein the brother of the informant was done to death and put
into a well. The informant had suspected the hands of the
petitioners in the crime as there was a strong motive against them
to commit the offence.

Counsel for the petitioners submits that on the basis of
the suspicion they have been named in the FIR. The petitioners
are in custody since 24.07.2016. Co-accused Bharat Singh has
been granted bail by order dated 08.06.2015 (part of Annexure-2
series).

Learned APP, on the other hand, points out from the case diary that the witnesses have stated above the complicity of the petitioner no.2 as he along with other co-accuseds was seen with the deceased who was taken into captivity and was forcibly being taken on a vehicle. It is also stated that the petitioners defied the process of law for sometime.

Considering the facts and circumstances of the case, this court is not inclined to grant bail to petitioner no.2. Prayer for bail is accordingly rejected.

Let the petitioner no.1 (Baby Devi) be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of ACJM, Sherghati, Gaya in Sherghati P.S. Case No. 152 of 2014 on condition that one of the bailors of the petitioner shall be her own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates the trial court shall have liberty to cancel her bail bonds and secure her arrest in accordance with law.

(Kishore Kumar Mandal, J)

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