

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16393 of 2019

Arising Out of PS. Case No.-130 Year-2018 Thana- SIMRI District- Buxar

Saroj Devi, Wife of Late Birendra Rai, Resident of Village - Daydaha, P.S.-
Dinara, Distt.- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashwini Kumar Rai, Advocate
For the Opposite Party : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 21-05-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks bail in connection with S. Tr.
No.292 of 2018 arising out of Simri P.S. Case No.130 of 2018
registered under Sections 363, 364, 302, 201 and 120B read
with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the implication of the petitioner in the instant case
is on the basis of her self-incriminating statement made before
police. However, her statement under Section 164 of the Code
of Criminal Procedure was also recorded in the court wherein
the only material which she has divulged is that she was put
under threat and when she saw the abduction of the victim, the
accused Karunanidhi Rai had asked her to keep quite and



promised that he would give her an ear ring. The main accused Karunanidhi Rai has already been granted bail vide order dated 21.12.2018 passed in Cr. Misc. No.77227 of 2018. The case of the petitioner stands on better footing than that of Karunanidhi Rai. As a matter of fact, the petitioner, a lady of clean antecedent, has become a victim of compelling and unavoidable circumstances.

On the other hand, learned counsel appearing for the State opposed the application for grant of bail to the petitioner. However, he admitted that the case of the petitioner stands on much better footing than that of Karunanidhi Rai, who has already been granted bail by a Bench of this Court.

Considering the submissions made above, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-VI, Buxar in connection with S.T. No.292 of 2018 arising out of Simri P.S. Case No.130 of 2018, subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence



similar to the offence of the present case; and

(c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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