

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20060 of 2020

Arising Out of PS. Case No.-59 Year-2018 Thana- CHANDRAMANDI District- Jamui

Kabita Devi @ Kabita Rana Wife of Laljeet Rana Resident of Village -
Sapaha, P.S.- Chandramandih, Distt - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Mahto

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-06-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and
learned APP for the State.

Since the physical court proceeding is non-functional
in the present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
the office will place the matter before the bench.

The petitioner is languishing in custody since
22.11.2019 in a case registered for the offences punishable
under Sections 302, 201, 120B, 427/34 of the Indian Penal Code
and Sections 16, 17, 18, 19, 20, 21, 22 of Unlawful Activities



(Prevention) Act, hence, the prayer for bail has been made through the present application.

The prosecution case, as per the written report of Hemant Kumar, S.H.O., Chandramandih P.S. submitted to the Chief Judicial Magistrate, Jamui, is to the effect that on 14.08.2018 at 6.00 A.M., information was received that in village Satpokhra, an unknown dead body is lying, subsequently, the informant reached on the place and found a letter which revealed that the extremists have committed the murder, as a result, 45 naxals including the petitioner were named along with several unknown.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the accusation has been levelled against the petitioner. The informant has neither seen the alleged occurrence nor during investigation, any eye witness have deposed with regard to the complicity of the petitioner in the alleged occurrence. The petitioner has not been put on T.I. Parade though, she is in judicial custody since 22.11.2019. It is further submitted that there is no recovery from the possession of the petitioner and similarly situated co-accused Sunita Kumari @ Sunita Rana has been granted bail by Co-ordinate bench of this Court vide order dated 29.02.2020 passed in Cr.



Misc. No. 12070 of 2020. Though, the petitioner is accused in two other cases but she has not been remanded.

Learned APP for the State submits that the petitioner is named in the FIR and she has criminal antecedent.

Considering the suspicious nature of accusation, the fact that the investigation has been concluded, the petitioner has not been put on T.I. Parade, similarly situated co-accused has been granted bail by a Co-ordinate bench of this Court and petitioner being a lady, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Judicial Magistrate, Ist Class, Jamui in connection with Chandramandih P.S. Case No. 59 of 2018.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on



furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Jamui in connection with Chandramandih P.S. Case No. 59 of 2018.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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