

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20036 of 2020

Arising Out of PS. Case No.-225 Year-2019 Thana- Harnaut District-Nalanda

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Soni Devi wife of Sanjay Mahto, resident of village- Panchshil Nagar,
Harnaut, Police Station- Harnaut, District- Nalanda.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Rajesh Kumar Chaudhary, Advocate
For the State	:	Mr. Iftexhar Mahmood, APP
For the informant	:	Mr. Pramod Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 27-11-2020 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel for the informant via video conferencing.

2. By way of the instant application preferred under Sections 439 and 440 of the Code of Criminal Procedure, the petitioner has renewed her prayer for grant of bail in connection with Harnaut P.S. Case No. 225 of 2019 registered under Sections 302 and 120-B of the Indian Penal Code. Earlier, her prayer for bail was rejected by this Court vide order dated 04.12.2019 passed in Cr. Misc.63242 of 2019.

3. It is contended by the learned counsel for the petitioner that similarly circumstanced co-accused Sanjay Mahto, husband of the petitioner and father-in-law of the



deceased has already been granted pre-arrest bail by a co-ordinate Bench of this Court vide order dated 06.03.2020 passed in Cr. Misc. No.77700 of 2019. It is further contended that the petitioner is in custody since 06.06.2019 and in case bail is granted to her, she would fully co-operate with the trial.

4. Learned counsel for the State and learned counsel for the informant have opposed the prayer for grant of bail to the petitioner.

5. Considering that similarly circumstanced co-accused Sanjay Mahto has already been granted pre-arrest bail by a co-ordinate Bench of this Court and the petitioner being a lady has remained in custody for about 17 months, she is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Harnaut P.S. Case No. 225 of 2019.

6. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-



- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Senior Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Senior Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Senior Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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