

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 20158 of 2020**

Arising Out of PS. Case No.-57 Year-2020 Thana- KHAGAUL District- Patna

MANORAMA DEVI Wife of Sri Prem Rai @ Prem Yadav Resident of
Village - Chhoti Badalpura, Khagual, P.S.- Khagual, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ravi Kant Kumar, Advocate
For the Opposite Party/s : Mr Manoj Kumar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **18-06-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Khagaul Police Station (for
brevity, *PS*) Case No 57 of 2020 dated 22.02.2020 instituted for
the offence punishable under Section (s) 302/34 of Indian Penal
Code and Section 27 of Arms Act.

The informant has alleged that while her husband was
returning home after handing over keys of the shop to the owner
of the shop, where he was employed, he has been surrounded by
co-accused Rocky Kumar, Raushan Kumar @ Aditya and Pram
Rai @ Prem Yadav and has been done to death by firearm
injuries. The first information report (for brevity, *FIR*) further
alleges that the petitioner was seen running from the *Khatal*. It



is also alleged that earlier on 22.02.2020, the petitioner, along with the accused persons, had gone to the shop, where the informant's husband was employed, and abused him and threatened him.

Learned counsel for the petitioner submits that even, as per allegations in the FIR, the petitioner is not the author of any injury as there is no allegation that the petitioner has assaulted the deceased. Specific allegations are against the three accused persons. The petitioner is female and mother of co-accused Rocky Kumar and, as such, has been implicated in this case. The petitioner has no criminal antecedent and merely, on suspicion, she has been made an accused. The petitioner is in custody now since 26.02.2020.

Learned APP appearing for the State has opposed the prayer for bail. It is submitted that the petitioner is one of the named accused persons.

Considering the aforesaid, let the petitioner, above named, be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Danapur in connection with Khagaul PS Case No 57 of 2020 subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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