

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21309 of 2020

Arising Out of PS. Case No.-507 Year-2019 Thana- BIDUPUR District- Vaishali

1. MOSMAT SITA DEVI W/o late Akhlakh Rai Resident of Village - Khapura, P.S.- Bidupur, Distt.- Vaishali.
2. Sangita Devi @ Sangita Kumari W/o Dharmendra Rai Resident of Village - Khapura, P.S.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners the learned APP for the State.

The petitioners seek regular bail in connection with Bidupur PS case no. 507 of 2019 instituted for the offences punishable under Sections 413, 414/34 of Indian Penal Code.

The allegation is regarding theft committed by the accused persons at Muthoot Finance, Hazipur and huge amount of gold ornaments were looted. The main accused is said to be Dharmendra Rai who is stated to have stolen the gold



ornaments from the Muthoot Finance and infact, upon a raid being conducted at the house of the petitioners herein who are the mother and wife of the said main accused Dharmendra Rai, 3 kg 132 gm and 200 mg of gold jewellery was recovered.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and for the same offence, they have been made accused in one other case. It is further submitted that the petitioners being the mother and wife of the main accused Dharmendra Rai were not having the knowledge that the gold ornaments in question are looted articles and infact, the main accused Dharmendra Rai is already in custody in connection with the case of Day-light robbery conducted by him at the Muthoot Finance Branch at Hazipur. Lastly, it is submitted that the petitioner no. 1 is aged about 70 years and the petitioner no. 2 is in an advanced stage of pregnancy, hence they be granted the privilege of regular bail, inasmuch as they are languishing in custody since 12.12.2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioners are the mother and wife of the main accused namely



Dharmendra Rai, who is stated to have committed robbery and the petitioners are languishing in custody since 12.12.2020, the abovenamed petitioners are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Bidupur PS case no. 507 of 2019.

(Mohit Kumar Shah, J)

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