

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27567 of 2020

Arising Out of PS. Case No.-121 Year-2019 Thana- SURSAND District- Sitamarhi

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SUBADHI DEVI Wife of Rajdev Mahto Resident of Village - Majhaura, P.S.-
Sursand, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Devendra Kumar
For the Informant	:	Ms. Madhubala Verma
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Sursand P.S. Case No. 121
of 2019, registered for the offence punishable under Sections
302 and other allied sections of the Indian Penal Code.

As per prosecution case, on 26.04.2019 while the
informant's father was making bush on his land, the petitioner
and other accused persons opposed and on protest, the accused
persons assaulted informant's father by means of lathi and
danda. When the informant and his family members came to



save him and they were also abused and assaulted by the accused persons. The father of informant died during course of treatment.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to land dispute. There is general and omnibus allegation. Specific allegation of overt act is against other co-accused. Petitioner is lady and in custody since 14.01.2020 having clean antecedent as stated in para 3 of the petition.

Counsel for the informant vehemently opposed the prayer for bail and submitted that informant's father died due to injuries caused by hard and blunt substance.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Fast Track Court No. II, Sitamarhi in connection with Sursand P.S. Case No. 121 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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