

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27593 of 2020**

Arising Out of PS. Case No.-91 Year-2020 Thana- GAIGHAT District- Muzaffarpur

NAGIYA DEVI W/o Mohan Rai Resident of Village-Kerma naya tola, P.S-
Kudhani, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Additional Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 19-10-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

Petitioner seeks bail in a case registered for the offence punishable under Sections 395/397 of Indian Penal Code to which Section 412 of Indian Penal Code and 27 of Arms Act were added later on.

The prosecution case in brief is that, on 20.03.2020, Kumar Nitesh Branch Head of Axis Bank gave a written application to the police alleging inter alia that at 1:30 P.M., five accused persons entered the Axis Bank, Majithi Branch, Gaighat, Muzaffarpur. At that time, there were ten staff and some customers in the bank. One culprit from the five accused fired with his pistol in the bank and when the guard objected, then one culprit injured the guard and one accused targetted to



one Staff, namely, Sunil Kumar Tiwari. One culprit took total amount of Rs.11,25,741/- and put this amount in white bag and also took two mobiles of Sudhanshu Kumar after that they fled away. It is further alleged that the looted amount of Rs.2,25,000/- has been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is a 70 years old lady. It is further submitted that the son of the petitioner, namely, Satender Ray @ Bhulan was a criminal and has already been encountered by police on 09.04.2020 and the said money had been kept by him inside the house. Petitioner in no way concerned with the said recovered money. It is stated by learned counsel for the petitioner in paragraph 3 of the bail petition that the petitioner has got no criminal antecedent. Petitioner is in custody since 30.03.2020.

Considering the facts of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-16-cum-Additional Chief Judicial Magistrate-15, Muzaffarpur in Gaighat Police Station Case No. 91 of 2020, G.R. No. 1375 of 2020 on the following conditions:-



(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

Ankit/-

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