

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66562 of 2019

Arising Out of PS. Case No.-66 Year-2017 Thana- TARABARI District- Araria

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Parmila Devi @ Most. Parmila Devi Wife of Late Dinesh Ram Resident of
Village- Phulwari, P.S.- Tarawari, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.
For the Opposite Party/s : Mr.Anil Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

5 28-09-2020 Heard learned counsel appearing for petitioner,

learned Additional Public Prosecutor Sri Anil Kumar
appearing for State as well as learned counsel Sri Sanjay
Kumar Sharma appearing for informant through video
conferencing.

Earlier the bail prayer of the petitioner was
rejected by a co-ordinate Bench of this Court vide order
dated 15.05.2018 passed in Cr. Misc. No.22464 of 2018 but,
submission on behalf of the petitioner is that petitioner is in
jail custody since 09.08.2017 and the report of trial court
goes to show that after closure of prosecution evidence
prosecution filed a petition under Section 311 of the Cr.P.C.



and the case is pending for hearing on the above stated petition filed under Section 311 of the Cr.P.C.

It is admitted case of the prosecution that this First Information Report was lodged on 07.08.2017 at 08:15 AM and in the written report of the informant only suspicion was raised against the petitioner and others. However, in course of investigation some witnesses claimed to have seen the petitioner and others throwing the dead body of deceased child in a pond on 07.08.2017 at 04:00 AM.

The report of the trial court goes to show that case is still pending for hearing of petition filed on behalf of prosecution under Section 311 of the Cr.P.C. It is obvious that almost all the materials prosecution witnesses have already been examined and there is no possibility of tampering of the prosecution evidence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let petitioner be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, Vth, Araria in connection with Tarwari P.S. Case no.66 of



2017 (G.R. No.2679 of 2017).

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

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