

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18027 of 2021**

Arising Out of PS. Case No.-607 Year-2020 Thana- MANER District- Patna

1. CHANDRAWATI DEVI WIFE OF SRI BRIJ MOHAN RAI RESIDENT OF VILLAGE- BRAHMCHARI POKHRA, P.S. - MANER, DISTRICT- PATNA
2. SARASWATI DEVI WIFE OF SRI SIRDA RAI @ SRI SINDA PAKHARA RESIDENT OF VILLAGE- BRAHMCHARI POKHRA, P.S.- MANER, DISTRICT- PATNA

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Ravindra Nath Dubey, Advocate
For the Opposite Party/s :	Mr. Shantanu Kumar, APP
For the Informant :	Mr. Satish Chandra, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-07-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Maner P.S. Case No. 607 of 2020 registered for the offences punishable under Sections 147, 148, 149, 448, 307, 302, 379, 504 and 506 of the Indian Penal Code.

As per the prosecution story, on 05.11.2020 the informant was sitting at his door in the meantime these



petitioners along with other F.I.R. named accused persons came to his house variously armed and started abusing him. The accused persons assaulted the brother of the informant with a rod on his head due to which he received injuries and died on the way to the hospital. Allegation against these petitioners is that they have taken away gold jewelry of the informant amounting to Rs. 14,000/-.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that there is no allegation of commission of any overt act against these petitioners. Learned counsel submits that the petitioners are in custody since 07.11.2020 having no criminal antecedent.

Learned A.P.P. for the State as well as learned counsel for the informant have opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that these petitioners are the female members of the family, the dispute had taken place over a drainage and in this case altogether 24 persons have been made accused, there is no allegation of commission of any overt act against these



petitioners and only ornamental allegations have been made against them that they have taken away Rs. 14,000/- from the prosecution side, considering that the allegation against these petitioners are vague and they are in custody since 07.11.2020, investigation against them is complete but the trial is not likely to take place in near future, let the petitioners above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Ms. Nutan Kumari, J.M. 1st Class, Danapur in connection with Maner P.S. Case No. 607 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.



And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

