

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20001 of 2021

Arising Out of PS. Case No.-317 Year-2020 Thana- BHANGWANPUR HAT District- Siwan

Prabhawati Devi, W/o of Sitaram Yadav Resident of Village- Shankarpur
Tola, Police Station- Bhagwanpur Hat, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 30-11-2021 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner seeks bail in connection with Bhagwanpur
Hat P.S. Case No.317 of 2020, registered for the offence
punishable under Sections 304(B), 201/34 of the Indian Penal
Code.

Prosecution case in brief, is that the in-laws of the
deceased were putting demand of Rs.2,00,000/- and when the
demand was not fulfilled, daughter of the informant was
murdered by the present petitioner and other co-accused.

Learned counsel appearing on behalf of the petitioner
submits that there is no allegation against the petitioner and the
petitioner has never tortured the deceased and she is languishing



in jail custody since 13.12.2020, hence be released on bail.

Learned counsel appearing on behalf of the State submits that there is direct allegation against the petitioner and the statement made in paragraph no.7 and 8 of the case diary, name of the petitioner has also been taken by the cousin of the deceased, as such he do not deserves to be released on bail.

Considering the rival submissions made by the parties and the fact that there is no eye-witness in the present case nor the cousin who has made direct allegation in paragraph no.7 and 8 in support of the prosecution case was also not present at the time of alleged incidence.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Bhagwanpur Hat P.S. Case No.317 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.



(3) 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.

However, any observation made in this order shall not prejudice the trial of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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