

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21082 of 2021**

Arising Out of PS. Case No.-398 Year-2019 Thana- KORHA District- Katihar

Sanju Kumari, W/O Late Jethu Soren, R/O Village-Gorgama Paschhim Tola,
P.S.-KORHA, District-Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, A.P.P.

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

2 12-08-2021 Learned counsel for the petitioner 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 petitioner and Mrs. Indu Kumari Srivastava, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Korha P.S. Case No. 398 of 2019 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the name of the petitioner has been brought in this case on mere suspicion. Along with the petitioner three other persons were made accused alleging that they had conspired to kill the son of

the informant and his dead body was thrown in the ditch existing in the canal. The informant claims that there was a land dispute between the son of the informant and the co-accused, the motorcycle of the son of the informant was recovered near the place of co-accused Lakhan Murmu.

Learned counsel for the petitioner submits that in this case, in course of investigation no substantive material could be collected against the petitioner and the co-accused. Co-accused Arun Kumar Singh has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 27908 of 2020. Similarly, co-accused Lakhan Murmu, near whose place the motorcycle of the deceased was recovered, has been exonerated in course of investigation and co-accused Bhagwan Murmu has also been granted bail by another learned coordinate Bench of this Court in Cr. Misc. No. 40276 of 2020. This petitioner is in custody in connection with this case since 06.07.2020, investigation against her is complete and she has got no criminal antecedent.

Mrs. Indu Kumari Srivastava, learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case and that the petitioner is said to be similarly situated with

the co-accused who have been granted bail by learned coordinate Benches of this Court as also that the petitioner has remained in custody for over one year and investigation against her is complete, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Mr. Rehan Reza, learned Judicial Magistrate Ist Class, Katihar in connection with Korha P.S. Case No. 398 of 2019, 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 petitioner and in case at any stage

it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

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’.