

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25836 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- DIGHWARA District- Saran

1. MINA DEVI @ MEENA DEVI Wife of Jai Ram Rai Resident of Village- Unahchak, P.S.- Dighwara, District- Saran at Chapra.
2. Lalbabu Rai S/o Late Parmeshwar Rai Resident of Village- Shri Nagar, P.S.- Dighwara, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-11-2021 Heard learned counsel for the petitioners, learned counsel for the Informant and learned APP for the State.

The petitioners seek regular bail in connection with Dighwara P.S. Case No.132 of 2020 registered for the offence under Sections 302, 201 and 34 of the IPC.

As per prosecution case, the daughter of the informant has solemnized love marriage with one co-accused Uday Rai, he was informed that all the accused persons were planning to kill her and later on the informant got to know that they have killed her and disposed of the dead body.

Learned counsel for the petitioners submits that the petitioners have committed no offence and they have falsely



been implicated in this case due to previous enmity. He further submits that petitioner no.1 is separate from the mess and business and petitioner no.2 is also living separately in old house. He further submits that Panchnama has been prepared by the Panch/Sarpach on 24.11.2006 and there is no specific allegation against this petitioner. Petitioner no.2 has clean antecedent and they are in custody since 14.01.2021.

However, learned APP for the State as well as learned counsel for the Informant vehemently opposed the prayer for regular bail.

In the facts and circumstances of the case, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Saran at Chapra in connection with Dighwara P.S. Case no. 132 of 2020 with following conditions:-

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

(ii) If the petitioners tampers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(iii) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(iv) 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 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.

(Rajesh Kumar Verma, J)

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