

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28422 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- PARSABAZAR District- Patna

1. MAMTA DEVI Wife of Late Bhisn Manjhi Resident of Village- Shahpur Musahari, Police Station- Parsa Bazar, District- Patna.
2. GUDIYA DEVI Wife of Late Pankaj Manjhi Resident of Village- Shahpur Musahari, Police Station- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-11-2021 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Parsa Bazar P.S. Case No. 211 of 2020 registered for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

According to the prosecution, the cousin of the informant has been found dead in the house of one Mamta Devi.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. In fact, altogether eight persons have been made accused in



this case merely on the basis of suspicion. No specific allegation of assault or any over act committed by them is attributed to the petitioners. Neither any reason nor any intention of anyone is narrated in the F.I.R. and merely on the ground of suspicion eight persons including these petitioners have been made accused in this case. There is no eye witness to the alleged occurrence. Moreover, the co-accused, namely, Bablu Ravida, having more or less similar allegation, has already been granted bail by a co-ordinate Bench of this Court vide order dated 14.07.2021 passed in Cr. Misc. No. 38804 of 2020. The petitioners, who are ladies, rotting in judicial custody since 31.05.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-VIII -cum- Additional Chief Judicial Magistrate, Patna in connection with Parsa Bazar P.S. Case No. 211 of 2020 with the following conditions:-

(1) 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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