

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28721 of 2021

Arising Out of PS. Case No.-149 Year-2019 Thana- IMAMGANJ District- Gaya

KAVITA DEVI Wife of Lal Bahadur Rai Resident of Village - Bhat Bigha,
P.S. - Imamganj, Dist. - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Anupam

For the Opposite Party/s : Mr. Dilip Kumar No.1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302/34 of the Indian Penal
Code.

As per the prosecution case, this petitioner along with
other accused persons are suspected to have killed the son of the
informant.

Learned counsel appearing for the petitioner submits
that there is no eye witness of the occurrence. No one has seen
this petitioner committing the aforesaid crime. The petitioner
has been made accused in this case only because petitioner is
alleged to have illicit relation with the deceased. Similarly
situated co-accused, Lal Bahadur Rai, Ramraj Rai and Kamlesh
Rai have already been granted bail by this court vide orders
passed in Cr. Misc. No. 8722/2020, 8619/2020 and Cr. Misc.



No. 72798/2019, respectively. Petitioner is in custody since 27.08.2019.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Judicial Magistrate, 1st class, Sherghati, Gaya in connection with Imamganj PS case No. 149/2019 on the following conditions:-

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

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

(Prabhat Kumar Singh, J)

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