

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32376 of 2021

Arising Out of PS. Case No.-899 Year-2018 Thana- BIHTA District- Patna

Renu Devi W/O Sri Uma Shankar Prasad R/o village- Shiv Shakti Nagar,
Bihta, P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bihta P.S. Case No. 899 of 2018 instituted for the offences
under Sections 302 and 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 15.12.2020 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant alleges this petitioner to be the order
giver based on which Uma Shankar Prasad fired, killing the
husband of the informant.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as it does not stand to reason that if the assailant intended to kill the deceased, why he would wait for the orders of the petitioner to kill.

Learned counsel for the informant and learned A.P.P. for the State oppose the prayer for regular bail of the petitioner but are not able to meet the submission of the learned counsel for the petitioner that petitioner is not the assailant and is merely an order giver. Learned counsel for the informant submits that trial has commenced and one witness has already been examined, rest five are still to be examined.

Learned counsel for the petitioner submits that co-accused Tulsi Singh has been granted anticipatory bail vide order dated 03.04.2019 in Cr. Misc. No. 18297 of 2019.

Considering the fact that the petitioner is in custody since 15.12.2020, charge-sheet has been submitted in the case, co-accused has been granted anticipatory bail and petitioner is alleged to be the order giver, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Danapur in connection with Bihta P.S. Case No. 899 of 2018 subject to the condition as



laid down under Section 437 (3) Cr.P.C. with a condition that since the trial has commenced and if the petitioner fails to appear in the trial on two consecutive dates without proper reason, the court below shall proceed to cancel her bail bonds.

(Satyavrat Verma, J)

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