

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44772 of 2021

Arising Out of PS. Case No.-27 Year-2009 Thana- MOKAMAH District- Patna

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Sita Kumari D/o Late Mantu Ram R/o village- Chintamanchak, P.S.-
Mokama, District- Patna, Present Address- W/o Raushan Prasad, R/o- Tisari,
P.S.- Girihinda, District- Giridih, (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mokama P.S. Case No. 27 of 2009 instituted for the offences
under Sections 302, 201, 120(B) and 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 23.02.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that on 15.01.2009 his daughter aged about
six years went to her aunt's place and when she did not return,
her family members went to the aunt's place to search her but



she was not found, it is next alleged that the informant on 15.02.2009 received information that one Vikash has full knowledge about his daughter, thereafter the police was informed and Vikash was apprehended who disclosed about the dead body of the child which was recovered from his house. Accordingly, the informant alleges that all the accused persons in conspiracy along with Vikash killed his daughter.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that there is no eye-witness to the occurrence and name of this petitioner transpired merely on basis of suspicion. Further, petitioner was not even aware that a case has been instituted against her as she is a married lady and stays in Jharkhand. Learned counsel further submits that similarly situated co-accused Paro Devi was granted bail by order dated 06.09.2010 in Cr. Misc. No. 29757 of 2010, Vikash Kumar was granted bail by order dated 11.01.2010 in Cr. Misc. No. 45751 of 2009 and Gita Devi @ Guddi was granted bail by order dated 08.09.2009 in Cr. Misc. No. 27940 of 2009.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is a lady, is in



custody since 23.02.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, 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., Barh, Patna in connection with Mokama P.S. Case No. 27 of 2009 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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