

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40656 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- KARAI PARSURAI District- Nalanda

1. DHARMSHEELA DEVI Wife of Ramakant Prasad Resident of Village- Bahapar, P.S.- Karai Parsurai, District- Nalanda.
2. Sita Kumari Daughter of Ramakant Prasad Resident of Village- Bahapar, P.S.- Karai Parsurai, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Karai Parsurai P.S. Case No. 27 of 2021 registered for the offences punishable under Sections 302 and other allied sections of the IPC and 27 of the Arms Act.

As per FIR, on 16.02.2021 when informant along with his younger brother was returning to his home, petitioners along



with other accused abused them. When the informant forbade to do so, the accused persons started firing. In that firing, brother of the informant died.

Learned counsel for the petitioners submits that petitioners have clean antecedent and have committed no offence and they have falsely been implicated in the present case. He further submits that it appears from the FIR itself that main allegation is against co-accused Vikash Kumar. He further submits that it is an admitted fact that several land dispute are going on between the parties. Petitioners are in custody since 17.02.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Karai Parsurai P.S. Case No. 27 of 2021, subject to 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 cancelled 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.

3. 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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