

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7295 of 2021

Arising Out of PS. Case No.-1052 Year-2019 Thana- HAJIPUR District- Vaishali

Aimpi Devi @ Ampy Devi aged about 40 years,(Female) wife of Late
Baidhnath Ray Resident of village- Dhamaun, PS Patori Dist- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner	:	Ms. Bela Singh Advocate
For the State	:	Mr. Braj Kishor Prasad APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned counsel for the petitioner and learned counsel for the State

3. The petitioner seeks bail in Hajipur Town PS Case No. 1052 of 2019, GR No. 6548 of 2019 instituted for the offence under Sections 395 and 397 of the Indian Penal Code.

4. Learned counsel for the petitioner is expected to honour her undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

5. The allegation is regarding the brother of petitioner having looted ornaments from Muthoot Finance Branch at Hajipur along with other accused persons and it is alleged that out of the looted 55.777 kg. of gold, ½ kg of gold jewellery was handed over to the petitioner herein by the co-accused



person, namely, Dharmendra Rai and upon a raid having been conducted at the house of the petitioner, the said jewellery was recovered.

6. The learned counsel for the petitioner has submitted that as far as the petitioner is concerned, she has got no complicity in the matter and has been implicated since the petitioner is the sister of the main accused, namely, Dharmendra Rai. It is also submitted that admittedly, the petitioner has no role to play in the alleged robbery/loot, hence, she deserves the privilege of bail inasmuch as she is rotting in custody since 08.06.2020 having no criminal antecedents. Lastly, it is submitted that the main accused, Dharmendra Rai, is behind bars.

7. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

8. Having regard to the facts and circumstances of the case, considering the submissions made by the leaned counsel for the petitioner and taking into account the fact that the petitioner, admittedly, do not has any role to play in the alleged robbery and happen to be sister of the main accused person, namely, Dharmendra Rai, I deem it fit and proper to direct for release of the petitioner on regular bail.

9. Considering the rival submissions, 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 the learned CJM Vaishali at Hajipur, in connection Hajipur Town PS Case No. 1052 of 2019, GR No. 6548 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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