

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.36799 of 2020**

Arising Out of PS. Case No.-324 Year-2020 Thana- KORHA District- Katihar

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GEETA DEVI WIFE OF SIKANDER RISHI RESIDENT OF -
PARMANANDPUR, GHAT TOLA, PS.-KORHA, DISTRICT- KATIHAR

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 12-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Korha P.S. Case No. 324/2020 registered for the offences punishable under Section 341, 342, 328, 302/34 of the Indian Penal Code and Section 9 of Prevention of Witch Act.

As per prosecution story, on 10.07.2020 at about 11:00 A.M. all the accused persons including this petitioner kicked out the father of the informant from the village and forced to consume dirt, anyhow the informant brought his father at the house and saved him.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is no specific allegation against the petitioner as alleged in the F.I.R.



however, petitioner is in custody in the present case since 11.07.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that there is no specific allegation against the petitioner, the allegation of causing the father of the informant to consume dirt is against five named accused persons, this petitioner has allegedly provoked the co-accused persons in the alleged occurrence, the petitioner is in custody in connection with this case since 11.07.2020, investigation against her is complete but the trial is not likely to take place in near future, the petitioner has otherwise no criminal antecedent, therefore, this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Korha P.S. Case No. 324/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

