

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36492 of 2020

Arising Out of PS. Case No.-60 Year-2018 Thana- CHANDRAMANDI District- Jamui

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Kabita Devi @ Kabita Rana, female, aged about 43 years, Wife of Laljeet Rana, Resident of Village - Sapaha, P.S. - Chandramandi, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 09-03-2021 Heard Mr. Prakash Mahto, learned counsel for the petitioner and Mr. Arun Kumar Singh, learned APP for the State.

The petitioner, who is in custody since 31.01.2020, seeks bail in connection with Chandramandi P.S. Case No. 60 of 2018, dated 14.08.2018, instituted for the offences under Sections 307, 120B, 121A, 124A and 34 of the Indian Penal Code, Sections 3, 4 and 5 of the Explosive Substance



Act and Sections 16, 17, 18, 19, 20, 21 and 22 of the U.A.P. Act.

It appears that a young person was killed inside the jungle by the members of a terrorist outfit. Perhaps, this was in reaction to one of their so-called companions having been killed by the police party. Huge amount of explosives also was found to be kept concealed inside the jungle near the dead-body. The intention, according to the F.I.R., was to wage war against the government and also the retaliation against the police party.

The learned counsel for the petitioner has submitted that forty five persons have been named in the F.I.R., but there is no specific accusation against the petitioner. With respect to the same transaction, another F.I.R., bearing Chandramandi P.S. Case No. 59 of 2018, also has been lodged in which the petitioner was made accused, but considering the suspicious nature of accusation against her, she has been granted bail in that case.

A copy of the order of this Court granting bail to the petitioner in the case referred to above has been brought



on record.

In the present case, the petitioner has been remanded on 31.01.2020 and since then she is in custody.

The learned counsel for the petitioner has further stated that she has been working as a cook in a nearby school and her implication in this case is only on the basis of suspicion.

Regard being had to the nature of accusation and the period of custody of the petitioner, this Court is inclined to grant her bail on certain conditions.

The petitioner/Kabita Devi @ Kabita Rana is directed to be released on bail on her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Jamui in connection with Chandramandi P.S. Case No. 60 of 2018, subject to following conditions:

(i) that one of the bailors shall be a close relative of the petitioner;

(ii) that the petitioner shall, at the time of



furnishing her bonds, give her mobile telephone number as well as the mobile telephone numbers of their bailors, which telephone numbers shall be kept in operative condition till the conclusion of the trial;

(iii) that the petitioner shall not leave the territorial confines of the Court which is trying the offence, without the consent of the Trial Court, sought in advance; and

(iv) that the petitioner shall also get her presence marked before the Officer-in-Charge of the concerned police station on the first Monday of each month. The Officer-in-Charge of the concerned police station is directed not to detain the petitioner in the police station unnecessarily.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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