

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7992 of 2021

Arising Out of PS. Case No.-20 Year-2019 Thana- GAIGHAT District- Muzaffarpur

REKHA DEVI wife of Manoj Ram Resident of Village- Baruari, P.S.-
Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2021 Heard both parties.

The petitioner seeks bail in Gaighat P.S. Case No. 20 of 2019, registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution case, on 17.01.2019 informant's uncle left his house at 2.00 pm and at 7.00 pm informant got information from villagers that his uncle was lying near the house of Shivchandra Ram. Informant reached at the spot and made all efforts to provide him medical facility, but he died at 7.25 pm. Further allegation is that on the next morning one Pawan Kumar Ram and two women informed him that Manoj Ram and his wife thrashed his uncle and threw him by the side of road.

It is submitted on behalf of the petitioner that



petitioner has been made accused in this case on suspicion. There is no eye-witness of the occurrence. Fact of implication under confusion has also been admitted by the informant in his petition filed in the court below vide Annexure-2. Chargesheet has already been submitted. Moreover, co-accused Manoj Ram has been granted bail by a coordinate Bench of this court vide order dated 13.01.2020 passed in Cr. Misc. No. 80773 of 2019. Petitioner bears no criminal antecedent and is in custody since 17.08.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Additional Chief Judicial Magistrate XV, Muzaffarpur in connection with Gaighat P.S. Case No. 20 of 2019, subject to following conditions:-

(i) The petitioner 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 in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.



(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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