

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38184 of 2020

Arising Out of PS. Case No.-11 Year-2011 Thana- SANGRAMPUR District- East
Champaran

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Laxmi Devi aged about 65 years Late Benga Sahani Resident of Village -
Bhawanipur Malahi Tola, P.S. - Sangrampur, District - East Champaran
... .. Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the
offence punishable under sections 302, 201/34 of the Indian
Penal Code.

As per the prosecution case, this petitioner along with
co-accused Benga Sahani were seen dragging the dead body of
the brother of the informant towards the river where belongings
of the deceased were also found.

Learned counsel for the petitioner submits that the
petitioner has been made accused in this case only on the basis
of being wife of co-accused Benga Sahani with whom the
informant has some business dispute. Besides this, there is no
eye witness to the occurrence and charge sheet has already been
submitted. Petitioner has got clean antecedent and she is in
custody since 25.12.2019. Similarly situated co-accused Nand



Kumar Sahani has already been allowed regular bail by a bench of this Court vide order dated 29.2.2012, passed in Cr.Mis.No. 44949/2011.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 Additional Chief Judicial Magistrate-14, Additional Chief Judicial Magistrate, East Champaran, Motihari in Sangrampur Police Station Case No. 11 of 2011, on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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