

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38038 of 2020

Arising Out of PS. Case No.-21 Year-2019 Thana- PANDARAK District- Patna

Nikki Devi Wife Of Bajrangi Singh Resident Of Village- Puran Bigha, P.S.-
Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 13-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Pandark P.S. Case
No. 21 of 2019 registered for the offence punishable under Sections
302, 201, 34 of the Indian Penal Code.

As per the prosecution case, allegation against the petitioner is
that she has killed her husband *Bajrangi Singh* (informant's brother)
in collusion with *Chandrasekhar* as she is in illicit relationship with
Chandrasekhar and concealed his deadbody under the earth in her
house.

It is submitted by learned counsel for the petitioner that



petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that no such occurrence as alleged ever took place and there is no eye witness of this case. He submits that only on the basis of suspicion the petitioner has falsely been implicated in this case. He further submits that other co-accused has already been granted bail by a Bench of this Hon'ble Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Charge sheet has been submitted and charge is also framed against the accused persons. The petitioner is a lady and has no criminal antecedent as has been mentioned in para 3 of this bail petition and she is languishing in custody since 02.03.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pandarak P.S. Case No. 21 of 2019 subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform



the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in the case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

GAURAV S./-

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