

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.38789 of 2020**

Arising Out of PS. Case No.-73 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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SHABNAM KUMARI wife of Mukesh Kumar, D/o Hari Nandan Mahto @
Bambam Mahto Resident of Village- Samsa, P.S.- Nawkothi, District-
Begusarai

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajkumar Rajesh,Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh,APP

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

4 14-07-2021 Learned counsel for the petitioner undertakes to remove

all the defects pointed out by the Stamp Reporter within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Anil
Prasad Singh, learned APP for the State.

The petitioner in the present case is seeking regular bail in
connection with Nawkothi P.S. Case No. 73 of 2020 registered for
the offences punishable under Sections 302, 307, 120(B) and 34 of
the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
informant has alleged that 4-5 persons including this petitioner came
at his house lased with firearm with an intention to kill his father and
mother. It is then alleged that Krishna Kumar @ Kishun shot fire
upon the father of the informant and Shatrudhan Kumar @ Dhuldhul



Singh shot fire upon the mother of the informant and then all the accused persons fled away.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no overt act against her. The petitioner is in custody since 25.08.2020, having no criminal antecedent.

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

Having regard to the facts and circumstances of the case and there being uncontroverted submission that this petitioner is merely a member of the mob, no overt act has been alleged against her, she has no criminal antecedent and she is in jail since 25.08.2020, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Nawkothi P.S. Case No. 73 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make



and 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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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'.

