

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3 of 2021

Arising Out of PS. Case No.-401 Year-2020 Thana- JAMUI District- Jamui

PINKI DEVI W/O TRIVENI RAWAT RESIDENT OF VILLAGE BUKAR,
P.S. AND DISTRICT-JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Yogesh Chandra Verma, Sr. Advocate Anuj Kumar, Advocate
For the State	:	Mr. Nitya Nand Tiwary, A.P.P.
For the Informant	:	M/s Abdul Mannan Khan Binay Kumar and Shiv Kumar, Advocates

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-03-2021 Heard learned senior counsel for the petitioner,

learned Additional Public Prosecutor for the State and learned

counsel for the informant.

The petitioner has filed the instant application for grant of regular bail in connection with Jamui P.S. Case no. 401/2020 registered under sections 302, 307, 147, 148, 149, 341, 342, 323, 324, 325, 363, 364, 120B, 201, 506, 153A and 295A of the Indian Penal Code.

As per allegation in the first information report, it is stated by the informant that the twenty five named accused persons and also 20 – 25 unknown came variously armed. They informed on the telephone that they have kidnapped two persons. They started to beat the persons and on the orders of



the petitioner and one Indu Kumari, it is stated that the accused persons namely Rahul, Sunil Rawat, Vijay Rawat, Mahesh Rawat, and Prakash Yadav started to assault and later one dead body was recovered who was identified as Ibran.

It is submitted by learned senior counsel appearing for the petitioner that the allegations as levelled in the first information report are false and incorrect. The petitioner who happens to be a lady has been falsely implicated in the case by naming her besides the twenty five other named accused persons. Even accepting the allegations in the first information report, there is no allegation of overt act against her. She has no criminal antecedent and is in custody since 11.8.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the first information report but she was one of the main players actively participating in the occurrence and it was on her order that the occurrence is said to have been taken place.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the fact that no overt act has been



alleged against the petitioner who is a lady and is in custody since 11.8.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Jamui P.S. Case no. 401/2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui.

It is further directed that the petitioner shall remain represented in the learned Court below on each date of the trial and in case the learned court is of the opinion that the trial is being delayed because of the petitioner, he may proceed to cancel the bail bonds of the petitioner and take her into custody.

(Partha Sarthy, J)

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