

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4244 of 2021

Arising Out of PS. Case No.-193 Year-2020 Thana- MADHUBAN District- East Champaran

CHAMPA DEVI W/o Nand Kishore Bhagat Resident of Village-
Bahuarabhan, P.S.- Madhuban, District- East Champarn.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Ranjana Srivastava

For the Opposite Party/s : Mr.Sanjay Kumar Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-04-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Madhuban P.S. Case No.

193 of 2020, registered for the offence punishable under

Sections 363, 364, 302 and 201 of the Indian Penal Code.

As per the prosecution case, some unknown

miscreants kidnapped the grandson of the informant with a view

to kill him.

It is submitted on behalf of the petitioner that

petitioner is non-else than Aunty of the deceased and is living

separately and due to previous enmity she has been falsely

implicated. Petitioner is not named in the FIR. Name of this

petitioner has come in this case on the basis of self confession



before the police which has got no evidentiary value in the eye of law. Petitioner is in custody since 12.10.2020 having clean antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

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 Chief Judicial Magistrate, East Champaran in connection with Madhuban P.S. Case No. 193 of 2020, 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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