

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9396 of 2021

Arising Out of PS. Case No.-255 Year-2020 Thana- MINAPUR District- Muzaffarpur

Sanjha Devi, W/o Ramu Chaudhary @ Rambabu Chaudhary, R/o Village-
Turki Purari Gharari, P.S.- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate
For the State : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-08-2021 The matter has been listed today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Minapur
P.S. Case No.255 of 2020 registered for the offence punishable
under Sections 302, 120B, 34, 506 of the Indian Penal Code.

The prosecution case is that the informant's brother
has been taken away by the named accused persons where other
six named accused persons were present. The informant has



learnt that his brother has been done to death.

Petitioner's counsel submits that the petitioner was not named in the F.I.R. The killing is actually on account of mob lynching of the victim suspecting him to be a thief. The petitioner's husband and son were named accused persons. By virtue of her relationship with the said two co-accused Lal Babu Chaudhary and Shekhar Kumar, she has also been implicated. Lal Babu Chaudhary and Shekhar Kumar (co-accused persons) have been allowed bail in Cr.Misc. No.8450 of 2021, vide order dated 09.07.2021.

Learned APP for the State and the learned counsel for the informant have opposed the prayer for bail. They have submitted that the investigation has revealed the petitioner's involvement also.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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, Muzaffarpur, in connection with Minapur P.S. Case No.255 of 2020, subject to the following conditions:



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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