

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11017 of 2021**

Arising Out of PS. Case No.-174 Year-2020 Thana- BARHARA KOTHI District- Purnia

1. Savita Devi, W/O Chandan Sharma, R/O Village-Dargaha Belapemu, P.S.-Barhara, District-Purnea.
2. Sada Nand Sharma @ Sadanand Sharma, S/O Late Biranchi Sharma, R/O Village-Dargaha Belapemu, P.S.-Barhara, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                    |   |                             |
|--------------------|---|-----------------------------|
| For the Petitioner | : | Mr.Raj Kumar, Advocate      |
| For the S t a t e  | : | Mr. Nirmal Kumar Sinha, APP |
| For the Informant  | : | Mr. Kumar Praveen, Advocate |

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      06-07-2021                      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 petitioners and the learned APP for the State. Learned counsel for the informant has also joined these virtual Court proceedings.

The petitioners seek bail in connection with S.T. No.157 of 2020 arising out of Barhara P.S. Case No.174 of 2020 registered for the offence punishable under Sections 147, 148,



149, 341, 323, 307, 302, 504, 379 of the Indian Penal Code.

30-35 people have allegedly assaulted the deceased.

The submission of the petitioners' counsel is that against Petitioner No.1, there is an allegation that she had called the victim and Petitioner No.2 is stated to be the order-giver. There is no allegation of assault against these petitioners. Other co-accused against whom there is an allegation of assault have been allowed bail in Cr.Misc. No.507 of 2021, vide order dated 09.03.2021. Having no criminal antecedents, the petitioners are stated to be in custody since 28.07.2020. Petitioner No.1 is a female and Petitioner No.2 is an elderly member of the family in whose house the victim has allegedly been beaten to death.

Learned APP for the State and learned counsel for the informant have opposed the prayer for bail.

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

Accordingly, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Purnea, in connection with S.T. No.157 of 2020 arising out of Barhara P.S. Case No.174 of 2020, subject to the following conditions:



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

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' 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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