

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3512 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- GARDANIBAG District- Patna

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DEVANTI DEVI W/o Vijay Prasad R/o Shivpuri, Chitkohra, P.O.- Anishabad,
P.S.- Gardanibagh, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-06-2022 Heard learned counsel for the petitioner and the

State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Sections 376, 313 and 379/34 of
the Indian Penal Code.

The main allegation is that the co-accused, son of this
petitioner, sexually exploited the informant by giving an
assurance to marry her and the present petitioner also allegedly
assured the informant to get her son married with her but later
on, this petitioner and her son (co-accused) physically and
mentally tortured the informant and became pregnant and
suffered from miscarriage due to acts of petitioner and co-
accused.

The main submissions advanced by the learned



counsel for the petitioner are that petitioner is an old lady and she is domestic servant and has been languishing in jail since 26.8.2021 and earlier the informant lodged Gardanibagh P.S. Case No. 57 of 2015 against her husband and others. In fact, informant was earlier married to someone and she established relationship with several persons including the petitioner and during course of investigation, sister of the informant recorded her statement in which she did not support the allegation made in the FIR against this petitioner.

Learned APP opposes the prayer for bail.

Having considered the above submissions and petitioner's custody period, let the petitioner 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 Addl. Chief Judicial Magistrate XIV, Patna in Gardanibagh P.S. Case No. 308 of 2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Shailendra Singh, J)

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