

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3809 of 2022

Arising Out of PS. Case No.-1108 Year-2019 Thana- NAGAR District- Vaishali

Renu Devi Wife Of Chhote Lal Ram R/O Village- Tarwa, P.S.- Masaurhi,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Hajipur P.S. Case No. 1108 of 2019 registered for the alleged offences under Sections 302/201/44 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the petitioner and co-accused persons murdered the son of the informant and the dead body was thrown in an orchard near registry office.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The learned counsel further submits that one Raja Kumar kidnapped the minor daughter of the sister of the petitioner for



which sister of the petitioner filed Bidupur P.S. Case No. 501 of 2019 on 05.12.2019 against the Raja Kumar and the others. The deceased also assured the sister of the petitioner that he would help her to recover her daughter. When Raja Kumar came to know about son of the informant helping the sister of the petitioner to find out the girl, the said Raja Kumar killed the son of the informant, Ranjan Kumar, and managed to implicate the petitioner and petitioner's family in this case. The learned counsel further submits that there is no eye witness to the occurrence and petitioner has been made accused in this case only on the basis of suspicion. The doctor, who conducted the post mortem, did not find any ante mortem injury on the body. Only one firearm injury was found on the dead body. The charge-sheet has been submitted in this case and the petitioner is in custody since 22.09.2021. The learned counsel further submits that co-accused Manju Devi has been granted bail vide order dated 02.06.2020 passed in Cr. Misc. No.8605 of 2020 and co-accused Kundan Kumar has been granted bail vide order dated 06.07.2022 passed in Cr. Misc. No.17750 of 2020 by different Coordinate Benches of this Court.

Learned APP opposes the submission made on behalf of the petitioner submitting that the petitioner and other co-accused persons committed murder of the son of the informant.

Having regard to the submissions made hereinabove



and considering the fact that there is no specific allegation against the petitioner and other similarly placed co-accused persons have been granted bail by a Coordinate Bench of this Court and further considering her period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Desari (Sahdai O.P.) P.S. Case No. 295 of 2019, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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