

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7673 of 2022

Arising Out of PS. Case No.-165 Year-2021 Thana- PURNAHYA District- Sheohar

Renu Devi Wife Of Sri Prabhu Sah R/O Village- Persouni Gope, P.S.-
Purnahiya, District- Sheohar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh,Adv

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the IPC.

The prosecution case, in short, is that on 11.10.2021 8 to 9 persons came to the house of the informant and all the accused persons including the petitioner are variously armed with Lathi and Danda and one person namely Prabhu Sah was living Kudal in his hand who hit on the head with Kudal on husband of the informant and as such he failed on spot and other accused persons hit Lathi and Danda.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case. He further submits that it appears from the FIR that there is direct allegation of overt-act is against co-accused, namely, Prabhu Sah and there is general and omnibus allegation against all the accused persons including the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 13.10.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Purnahiya P.S. Case No.165 of 2021, with 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 and shall remain physically present as directed by the Court 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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