

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8544 of 2022

Arising Out of PS. Case No.-283 Year-2021 Thana- MAHNAR District- Vaishali

Surati Devi D/o Late Rajendra Mahto R/o village- Hasanpur, P.S.- Mahnar,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate
For the State : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 30-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mahnar
P.S. Case No. 283 of 2021 registered for the offence under
Sections 302 and 34 of the Indian Penal Code and Section 27 of
the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 12.10.2021.

The allegation against the petitioner is to commit the
murder of mother of the informant along with other co-accused
persons by using fire arms.

Learned counsel appearing on behalf of the petitioner



submitted that the allegation, as regard to assault, is very much general and omnibus against the petitioner, who is a lady and a person having clean antecedent. It has been submitted that the investigation has been completed for which chargesheet has been submitted in this case, as such, there is no chance of tampering of the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the allegation, as regard to fire, is against the co-accused, namely, Sanjay Mahto, as surfaced during the course of investigation.

Considering the facts and circumstances as mentioned above, as allegation, as regard to fire, is not against the petitioner, who is a person having clean antecedent coupled with the fact that petitioner is a lady, let the petitioner, above named, is directed to be released on bail in connection with Mahnar P.S. Case No. 283 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the following conditions:

“(i) Accused/Petitioner shall
cooperate in the trial and shall be physically



present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Ram Vishekh Singh, who is the father-in-law of the petitioner and deponent of the present bail petition.”

The physical appearance of the I/O of this case before this Court is dispensed with.

(Chandra Shekhar Jha, J)

Ankit/-
Shashank/-

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