

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11485 of 2022

Arising Out of PS. Case No.-215 Year-2021 Thana- TARARI District- Bhojpur

BACHANO KUMARI D/o Dinesh Rai @ Suresh Rai R/o village- Kush
Mahi, P.S.- Tarari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prabhat Kumar Singh
For the informant	:	Mr. Ravi Ranjan
For the Opposite Party/s	:	Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Tarari P.S. Case No. 215 of 2021, for the offence punishable
under Section 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

As per allegation made in the F.I.R. the petitioner had
handed over rifle to her father Dinesh Rai @ Suresh Rai, who
killed the husband of the informant.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and she has falsely been
implicated in this case the only allegation against her is that she



had handed over rifle to her father. The petitioner is unmarried girl and she is in custody since 23.11.2021.

Sri Ravi Ranjan, learned counsel appearing on behalf of informant submits that it is petitioner who has instigated her father and handed over rifle to him which resulted into murder of husband of the informant. There is direct allegation against the petitioner as such she does not deserve to be released on bail. Learned A.P.P. for the State also supported the submission made on behalf of the informant.

Having heard the rival contention of the parties, the allegation made in the F.I.R. it appears that the petitioner is the daughter of the main accused Dinesh Rai @ Suresh Rai, who by means of rifle has killed husband of the informant on the spot. The petitioner and informant are neighbour. The petitioner is unmarried girl and no overt act has been alleged against the petitioner. The petitioner has remained in custody since 23.11.2021, Chargesheet has already been submitted, there is no allegation of tampering the evidence or influencing the witnesses. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Bhojpur at Ara in connection with Tarari P.S. Case No. 215 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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