

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14024 of 2022

Arising Out of PS. Case No.-280 Year-2020 Thana- KORHA District- Katihar

Mahatara Khatoon @ Mahapara Khatoon W/o Late Shahzamal, D/o Najir
Husain R/o Village- Harishpur, P.s.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

Earlier, prayer for bail of the petitioner was rejected
vide order dated 12.04.2021 passed in Cr. Misc. No. 1575 of
2021.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits similarly situated co-accused has already been
granted bail by a Bench of this Court vide order dated
05.01.2021 passed in Cr. Misc. No. 60591 of 2021. He submits
that charge has been framed against the petitioner. He further
submits that petitioner has no criminal antecedent as stated in



para-3 of the bail application and he is languishing in judicial custody since 18.06.2020.

Considering the facts that similarly situated co-accused has already been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sessions Trial No. 179 of 2020 arising out of Korha P.S. Case No. 280 of 2020, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.



(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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