

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14739 of 2022

Arising Out of PS. Case No.-393 Year-2021 Thana- VAISHALI District- Vaishali

1. Lalti Devi Wife of Late Bhagwan Lal Thakur Resident of Village - Jarang Rampur, Police Station - Vaishali (Belsar O.P), District - Vaishali.
2. Sonu Kumar Son of Late Bhagwan Lal Thakur Resident of Village - Jarang Rampur, Police Station - Vaishali (Belsar O.P), District - Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 19212 of 2022

Arising Out of PS. Case No.-393 Year-2021 Thana- VAISHALI District- Vaishali

1. HARI NARAYAN THAKUR Son of Late Rajendra Thakur Resident of Village - Jarang Rampur, Police Station- Vaishali (Belsar O.P.), District - Vaishali.
2. Chandrawati Devi wife of Hari Narain Thakur Resident of Village - Jarang Rampur, Police Station- Vaishali (Belsar O.P.), District - Vaishali.
3. Daya Devi Wife of Late Rajendra Thakur Resident of Village - Jarang Rampur, Police Station- Vaishali (Belsar O.P.), District - Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14739 of 2022)

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

(In CRIMINAL MISCELLANEOUS No. 19212 of 2022)

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-08-2022 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 petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 302 of the Indian Penal Code.

As per prosecution case, in brief, is that on 09.10.2021 at about 6:30 A.M. the informant was informed on her mobile that her daughter and son-in-law were killed by the accused persons. The informant and her son rushed at the spot where she found dead bodies of her daughter and son-in-law lying on the ground. The informant came to know from the villagers that the F.I.R. named accused persons killed her daughter and son-in-law.

Learned counsel for the petitioners submit that the petitioners namely Lalti Devi, Sonu Kumar, Chandrawati Devi and Daya Devi have clean antecedents whereas petitioner namely Hari Narayan Thakur carries two more cases other than the present one and they have been falsely implicated in the present case. He further submits that there is an admitted land dispute between the parties and on the basis of suspicion the



name of the petitioners have been falsely implicated in the present case. He further submits that even the informant is not an eye witness of the alleged occurrence and in fact there is no other eye witness to the alleged occurrence. He further submits that in the entire investigation no cogent material has come during investigation against these petitioners and the police after investigation submitted chargesheet against the petitioners and the petitioners namely Lalti Devi and Sonu Kumar are in custody since 17.12.2021, petitioner namely Hari Narayan Thakur is in custody since 14.10.2021, petitioner namely Chandrawati Devi is in custody since 09.11.2021 and petitioner namely Daya Devi is in custody since 10.10.2021.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Vaishali (Belsar O.P.) P.S. Case No. 393 of 2021, with the following conditions :-

- (1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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