

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17941 of 2022

Arising Out of PS. Case No.-240 Year-2020 Thana- BIKRAM District- Patna

Kalawati Devi Wife Of Ram Autar Mistri R/O Village- Khoraittha, P.S.-
Bikram, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID-19.

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

The petitioner is in judicial custody in connection
with Bikram P.S. Case No.240 of 2020 instituted under Sections
147, 149, 341, 323, 307, 302 of the Indian Penal Code.

The allegation in the FIR is that, the informant and
her husband when they were in home got knowledge that the
accused persons have made unlawful assembly and forcefully
ploughing their field. When this was objected to, it is alleged that
all the accused persons with an intention to kill her husband
assaulted with sticks. Due to this brutal assault, her husband
finally succumbed to the injuries in the Patna Medical College



Hospital.

Learned counsel for the petitioner submits that the entire family members of the petitioner have been implicated in the case including the ladies. He further submits that the lady does not carry any criminal antecedent, is in jail since 20.11.2021 (as stated in para-12 of the bail application) and further one of the co-accused, namely, Krishna Nandan Sharma @ Shambhu Sharma has since been released by this Court on 13.07.2022 vide Cr. Misc. No.16315 of 2022.

Taking into account the fact that the petitioner is in custody since 20.11.2021, the charge-sheet stands submitted and the other similarly situate co-accused have been granted the privilege of bail, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount each in connection with Bikram P.S. Case No.240 of 2020 to the satisfaction of learned A.C.J.M., VIth, Danapur, Patna, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

It goes without saying that the Trial court will take steps to expedite the Trial and conclude the same at an earliest.

(Rajiv Roy, J)

Prakash Narayan /-

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