

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19190 of 2022**

Arising Out of PS. Case No.-282 Year-2021 Thana- DELHA District- Gaya

Kari Devi W/O Suresh Yadav Resident Of Village- Chotki Nawada Sanjay
Nagar, P.S.- Delha, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Sinha No.1, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 05-08-2022 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 petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341,323,325,307,504,506,34 of the IPC and Section 27 of the Arms Act.

Allegation against the petitioner and other co-accused persons is that they lashed with lathi and iron rod entered into the house of the informant and attack with intention to kill. Co-accused Dinesh Yadav @ Jattha armed with pistol opened fire and started beating the informant and his family members due to which they got injured. Further allegation is that co-accused



Dinesh Yadav kicked on the stomach of the pregnant sister of the informant.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against the petitioner. Further submits that specific allegation of firing is against co-accused, namely, Dinesh Yadav. Further submits that in fact the son of the petitioner lodged an FIR against the informant Banti Kumar and other family members in Delha P.S. Case No.259 of 2021. Due to this reason, the petitioner has falsely been implicated in the present case and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Delha P.S. Case



No.282 of 2021, with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

Nitesh/-

U		T	
---	--	---	--

