

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19888 of 2022

Arising Out of PS. Case No.-441 Year-2021 Thana- Belhar District- Banka

1. Veena Devi W/o Barun Mandal R/o village- Kadwara, P.S.- Belhar (Khesar), District- Banka
2. Navita Devi W/o Arun Mandal R/o village- Kadwara, P.S.- Belhar (Khesar), District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Belhar (Khesar) P.S. Case No. 441 of 2021 lodged under Sections 302/34 of the I.P.C.

As per the prosecution case, the allegation has been made that petitioners along with other had killed the Bhabhi of informant by assaulting her with the help of lathi, danda and jharu. She was sent to the local hospital and then referred to Banka Hospital and during treatment Bhabhi of the informant

died.

Learned counsel for the petitioners submits that the petitioners are female, they are innocent and committed no offence. He further submits that as per the F.I.R. itself it is admitted that family dispute was going on in the family and the deceased has went there to console both the parties but instead thereof, the disputing party started assaulting the deceased herself, due to which she became injured and during treatment she died. He further submits that petitioners are lady and are in custody since 21.02.2022, they have clean antecedent and charge sheet has already been filed in this case and there is no chance of their absconding in this case.

Learned counsel for the State opposes the prayer for bail and submits that if bail shall be granted, there is likelihood of tampering of the evidence at the hands of the petitioners.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar (Khesar) P.S. Case No. 441 of 2021, subject to the conditions as laid down under Section 437(3) of

Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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