

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31283 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- BHAGWAN BAZAR District- Saran

1. Somi Devi Wife of Anil Prasad Resident of Village - Rajendra College, Bahari Sadak, Narayanpur Colony, P.S.- Bhagwan Bazar, District - Saran at Chapra
2. Guriya Devi Wife of Shubham Prasad Resident of Village - Rajendra College, Bahari Sadak, Narayanpur Colony, P.S.- Bhagwan Bazar, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-04-2022 Registry has pointed out several defects in the present application.

Learned counsel for the petitioners undertakes to remove the defects within two weeks.

In view of the undertaking given by the petitioners, the matter has been taken up for consideration.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners have been made accused in Bhagwan Bazar P.S. Case No.108 of 2020 registered under Sections 302/34 and 201/34 of the Indian Penal Code.

The prayer for bail of the petitioners was earlier



rejected by this Court vide order dated 19.01.2021 passed in Cr. Misc. No.23391 of 2020 with observation that they may renew their prayer for bail before the trial court itself after framing of the charge.

It is submitted by the learned counsel for the petitioners that charges were framed in the case on 20.02.2021. Thereafter, the petitioners filed their bail application before the trial court which was rejected vide order dated 25.02.2021 passed in Sessions Trial No.271 of 2020. From the first information report itself it would transpire that there is no eye witness to the occurrence. A general and omnibus allegation has been made against altogether six accused persons including the petitioners to have killed the husband of the informant. It is further submitted that the petitioners being ladies, have clean antecedent and there is no likelihood that if bail is granted, they would misuse its privilege or tamper with the evidence.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of bail to the petitioners. He submitted that the informant was locked in a room and her husband was killed by altogether six accused persons. He further contended that though there is no eyewitness to the actual commission of murder, the circumstantial evidence



completes the chain of circumstance against the petitioners and others.

Be that as it may, considering the period of over two years undergone by the petitioners in custody and the observation made by this Court in its previous order granting liberty to the petitioners to renew their prayer for bail before the Court below after framing of charge as also the nature of allegation being general and omnibus, they are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No.108 of 2020.

(Ashwani Kumar Singh, J)

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