

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30895 of 2021

Arising Out of PS. Case No.-577 Year-2020 Thana- SUGAULI District- East Champaran

Sabitri Devi @ Savitri Devi Wife of Late Yogi Mishra Resident of Village-
Shyampur Barwa, P.O.- Phulwar, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pravin Kumar, Advocate
For the Opposite Party/s :	Mr. Bharat Lal, A.P.P.
	Ms. Rashmi Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2022 Heard learned counsel for the petitioner as well as

learned counsel for the Informant and learned Additional Public

Prosecutor for the State in Virtual Court proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Sugauli P.S.

Case No. 577 of 2020 registered for the offences punishable

under Sections 302, 406 and 120(B)/34 of the Indian Penal

Code.

According to prosecution case, the informant Lalita

Devi has filed a petition before S.H.O. Sugauli P.S. stating

therein that her husband has temporary house situated in



Raghunathpur market, where her husband used to stay occasionally. The husband of the informant, namely, Ram Babu Singh had gone there to sleep after taking meal, in the morning when the husband of the informant did not receive mobile call of his family members, the informant contacted with neighboring medicine shopkeeper, namely Akhtar, who informed that murder of the husband of the informant has been committed and he received injury on his back and his dead body is lying in Room No.2.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during the course of investigation and nothing has come against the petitioner in the investigation. He further submits that petitioner is a 60 years old lady. It is further submitted that charge sheet has been submitted in this case. The petitioner is in custody since 26.11.2020.

The learned counsel for the informant as well as learned Additional Public Prosecutor opposed the prayer for bail.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Sugauli P.S. Case No. 577 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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)

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