

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21936 of 2022

Arising Out of PS. Case No.-116 Year-2019 Thana- JURAWANPUR District- Vaishali

1. KARI DEVI Wife of Sakaldeo Paswan Resident of village - Birpur Panchponiya Tola, P.S.- Jurawanpur, District - Vaishali
2. Suji Devi Wife of Biraj Paswan Resident of village - Birpur Panchponiya Tola, P.S.- Jurawanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 18-07-2022 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 504, 302 of the Indian Penal Code.

Allegation against petitioners and other co-accused is of assaulting the brother of informant by means of lathi, danda and fists etc., as a result of which his brother died.

It has been submitted on behalf of petitioners that petitioners are lady and they are innocent and have been falsely implicated in this case. According to FIR, it is evident that petitioners and other co-accused persons assaulted the deceased

brutally but from perusal of the postmortem report (Annexure-2), it is evident that the doctor has not found any external injury on the person of the deceased and the doctor has opined that since the cause of death is not clear, viscera is preserved for forensic examination. It has been further submitted that other co-accused, namely, Sakaldev Paswan has been granted bail by a co-ordinate Bench of this Hon'ble Court as contained in Annexure- 4. Petitioners have no criminal antecedents and are in custody since 17.02.2022.

Considering the aforesaid facts and circumstances of the case, let petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Vaishali at Hajipur, in connection with Jurawanpur P.S. Case No. 116 of 2019, subject to conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly

represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bonds.

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

(S. Kumar, J)

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