

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23413 of 2022

Arising Out of PS. Case No.-191 Year-2020 Thana- GOPALPUR District- Patna

Radha Devi W/O Vijay Kumar @ Vijay Prasad Resident Of Village - And
P.O. - Kako, P.S.- Kako, Dist.- Jahanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pranav Kumar APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-08-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Narendra Kumar, learned counsel for
the petitioner as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Gopalpur P.S.Case No. 191 of 2020 for
the offences punishable under Sections 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, it is alleged that the
FIR named accused persons committed murder of the
brother of the informant.

Learned counsel for the petitioner submits that the



petitioner is not named in the FIR. However, during the course of investigation, the name of petitioner has been transpired on the confessional statement of Lallu Kumar, who disclosed that some fake sim was provided by this petitioner and save and except, confessional statement of providing fake sim, no other material which suggest the complicity of the petitioner in the said crime. It is next submitted that petitioner is a lady and she is in custody since 09.02.2022 and moreover, the accused persons whose name has been transpired during the confessional statement have been granted bail by this Court in Cr. Misc. No. 35234 of 2021 vide order dated 08.12.2021 and Cr. Misc. No. 65954 of 2021 vide order dated 25.02.2022 respectively. The copies of which have been annexed as Annexure-2 series to this petition.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner has found involved in one another case.

Having heard the rival contentions of the parties and considering the material available on the record and also the fact that the petitioner is a lady and she is in



custody since 09.02.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -IX, Patna in connection with Gopalpur P.S. Case No.191 of 2020 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will remain present on each and every date of trial till disposal of the case.

(iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(v) 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 cancelling 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

(Harish Kumar, J)

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