

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27771 of 2022

Arising Out of PS. Case No.-74 Year-2020 Thana- SANJHOLI District- Rohtas

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Annu Kumari Daughter Of Sheshnath Prasad R/O- Vill.- Gangajal Math, P.S.-
Sanjhauli, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341,323,504,506,307,34 of IPC subsequently added Section 302 of IPC.

Co-accused Sheshnath Prasad along with Suraj and Arun came to his house armed with lathi and bricks and assaulted the wife of the informant, further Rita and Anu caught his wife dashed her on the ground and Suraj assaulted brutally on her stomach.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the petitioner is an unmarried girl. He further submits that it appears from the FIR that there is general and omnibus allegation against the petitioner and the specific allegation of assault is against co-accused, namely, Sheshnath Prasad and Suraj. Further submits that co-accused, namely, Sheshnath Prasad has been granted bail vide order dated 16.05.2022 in Cr. Misc. No.363 of 2022, co-accused, namely, Suraj Kumar @ Neeraj Kumar and Rita Kumari have also been granted bail by different Coordinate Benches of this Hon'ble Court vide orders at Annexure- 2 series to the present bail petition and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.01.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Sanjhauli P.S. Case No. 74 of 2020, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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