

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32977 of 2021

Arising Out of PS. Case No.-75 Year-2019 Thana- GOVINDGANJ District- East Champaran

RENU DEVI W/O VASHISHTH RAI R/o village- Harsidhi Pakadiya, P.S.-
Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 37273 of 2021

Arising Out of PS. Case No.-75 Year-2019 Thana- GOVINDGANJ District- East Champaran

1. VASHIST RAI Son of Lat3e Jai Kishun Rai
2. Rupesh Rai
3. Ritesh Rai
Both Sons of Vashist Rai.
All R/o Village- Harsidhi Pakadiya, P.S.- Harsidhi, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 32977 of 2021)

For the Petitioner/s : Mr.Madhurendra Kumar, Adv

For the Opposite Party/s : Mr.A.P.P.

(In CRIMINAL MISCELLANEOUS No. 37273 of 2021)

For the Petitioner/s : Mr.Madhurendra Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 22-02-2022 Heard learned counsel for the petitioners and the

learned A.P.P. for the State in both the applications.

The petitioners seek bail in connection with

S.Tr.No.222 of 2020 arising out of Govindganj P.S.Case No. 75



of 2019 registered for the offence under Sections 341,323,307,120(B) of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that two persons came on a motorcycle, the pillion rider took out pistol fired on the informant causing injury on her chest and she fell down. On hearing the sound of firing, neighbour people rushed towards her but both miscreants fled away. The bone of the occurrence is that her husband died suddenly just after three months of her marriage. After death of her husband, petitioner Vashist Rai has always been giving pressure to scribe the land of her share in the name of his wife Renu Devi(petitioner) and in this deeds of Vashist Rai, his wife and his brother -in-law Manoj, who is in jail, were giving cooperation 15 days earlier she had received information that Manoj Singh and son of Vashisth Rai namely Ritesh and Rupesh and wife Renu Devi wants to kill her by giving Supari (money) to the criminals with intention to grab her property and due to fear of it she came to her relatives at Motihari. It is further alleged that her Devar Vasisth Rai's wife Renu Devi and their son Ritesh and Rupesh and Manoj have committed this occurrence with intention to grab her share/property.



Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in the present case only on the basis of suspicion. He further submits that during investigation nothing has come against the petitioners. He further submits that it has come that one co-accused, namely, Ashok Kumar Pandey has fired on the informant-Urmila Kuer. He further submits that the police, after investigation, submitted chargesheet against the petitioners. He further submits that co-accused, namely, Ashok Kumar Pandey has been granted bail vide order dated 19.07.2019 in Cr. Misc. No.44510 of 2019 by a Coordinate Bench of this Hon'ble Court. Petitioners are in custody since 08.06.2020.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners carry one criminal case other than the present one.

Considering the facts and circumstances of the case, let the petitioners, above named, 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 17th Additional Sessions Judge, East Champaran, Motihari in connection with S.Tr.No.222 of 2020 arising out of Govindganj P.S.Case No. 75 of 2019 with the following



conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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