

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27820 of 2022

Arising Out of PS. Case No.-612 Year-2020 Thana- SONEPUR District- Saran

PINKI DEVI Wife of Dharmendra Kumar Singh Resident of Village - Pahleza
Shahpur, Diyara, P.S.- Sonpur, District - Chapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 302 and 120(B) of the Indian
Penal Code.

As per the prosecution case, it is stated that over a
dispute relating to immovable property in the family, the
accused persons used to hurl abuses and were also
threatening. It is further stated that at 8.30 pm., the
informant was informed by his wife that the petitioner and
her husband had killed Mousmi Kumari over property
dispute.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case only on the basis of suspicion. He further submits that the informant is not the eye witness to the alleged occurrence. He further submits that the petitioner happens to be aunt of the deceased and she has not committed any overt act with the deceased. He further submits that the husband of the petitioner has already been granted bail a by a co-ordinate Bench of this Court vide order dated 08.12.2021 passed in Cr. Misc. No. 22092 of 2021. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 08.12.2020.

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, above named, petitioner 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 S.T. No. 45 of 2022 arising out of Sonpur P.S. Case No. 612 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 canceled 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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