

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32406 of 2022

Arising Out of PS. Case No.-328 Year-2021 Thana- SIRDALA District- Nawada

Rekha Devi @ Renu Devi W/o Sudhir Rajbanshi R/o village- Lodhway, P.S.-
Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-09-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

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

Petitioner seeks regular bail in connection with
Sirdalla (Meskaur) P.S. Case No. 328 of 2021 registered for the
offences under Sections 147, 149, 341, 323, 504, 364 of the
Indian Penal Code read with Sections 3 and 4 of Witch Practices
Act.

As per the allegation, this petitioner and other co-
accused persons forcibly lifted the four Lady members of the
informant's family calling them "Dain" in order to sacrifice
them to return back the life of son of Sarita Devi but the police



reached the spot in the meantime and saved the four ladies.

The main submissions advanced by the learned counsel Mr. Pramod Kumar Verma for the petitioner are that the petitioner was not arrested from the spot and there is no specific allegation against her and nothing incriminating has been recovered from the possession of the petitioner and there is no independent eye witness of the occurrence and similarly situated several co-accused persons have been granted bail by co-ordinate Benches of this Court vide orders passed in Cr. Misc. No. 68023 of 2021, Cr. Misc. No. 4989 of 2022, Cr. Misc. No. 10035 of 2022 and Cr. Misc. No. 69942 of 2021. Further submissions are that not a single co-accused person has stated anything against the petitioner and she has been languishing in jail since 15th February, 2022.

Learned APP Mr. Ram Sumiran Rai appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. Petitioner is stated to be a Lady, against her there is no any specific allegation and similarly situated several co-accused persons have been granted bail by co-ordinate Benches of this Court vide orders passed in above-mentioned criminal miscellaneous cases and petitioner's case stand on similar footing with them.



Considering these facts as well as the petitioner’s custody period, in my view a lenient approach can be taken in respect of the petitioner’s prayer, let the 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 the concerned Court in connection with Sirdalla (Meskaur) P.S. Case No. 328 of 2021.

(Shailendra Singh, J.)

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