

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35886 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- BATHNAHA District- Sitamarhi

TARA KUMARI W/O BAIDYANATH SINGH Resident of Village- Bhalahi,
P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Bathnaha P.S. Case No. 75 of 2022 registered for the offences
punishable under Sections 399, 402, 120(B) of the Indian Penal
Code and Section 25(1-b)A, 26, 35 of the Arms Act.

As per prosecution case, police proceeded for
necessary action. The informant reached near the place of
occurrence. After seeing the police force five young persons
started to flee away, out of them three persons were apprehended
with the help of force and apprehended persons disclosed their
name as co-accused Awadhesh Kumar, Rahul Kumar alias



Chandan Mehra, Vishun Paswan alias Chandan Kumar. On search from the possession of Awadhesh Kumar one loaded country made pistol, one live cartridge, one mobile has been recovered whereas from the possession of Rahul Kumar alias Chandan Mehra one sharp knife, one mobile has been recovered and from the possession of Vishun Paswan alias Chandan Kumar one currency note of denomination of 2,000 and mobile has been recovered. Co-accused Awadhesh Kumar disclosed the name of the person, who succeeded to flee away as Ranjit Baitha and one unknown, who has been taken by Ranjit Baitha with him. He further disclosed Tara Kumari (present petitioner) who gave money in advance for committing murder of one Priyanka Devi.

Learned counsel for the petitioner submits that petitioner is in custody since 24.03.2022 as mentioned in impugned order. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the possession of the petitioner namely Tara Devi and except the disclosure of one co-accused no material is found against the said petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.



Considering the facts and circumstances of the case as well as period of custody, nature of allegation, keeping in view clean antecedent of the petitioner, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 75 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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