

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46642 of 2021

Arising Out of PS. Case No.-259 Year-2019 Thana- JANDAHA District- Vaishali

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Anju Devi @ Anju @ Kari Devi W/O Late Ashok Rai R/O Village-
Sarmastpur, P.S-Mahnar, District-Vaishali.

.. ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 21-01-2022 Heard learned counsel for the petitioner as well as
learned APP for the State through virtual mode.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

The petitioner seeks bail in connection with Jandaha
P.S. Case No.259/2019 registered for the offence punishable
under Sections 302, 120(B), 201 of the IPC.

The prosecution case in short is that on 18.10.2019,
the informant had a conversation with his elder brother
(Deceased) on his mobile then the deceased informed the
informant that his wife along with other in laws are doing a



conspiracy to murder him. On the next day, when the informant reached the deceased *Sasural*, his ware about could not be disclosed. Subsequently his dead body was found hanging on a mango tree, whose identity was subsequently revealed as the informant's brother, the informant apprehended the in-laws of the deceased earlier took four lakhs for purchasing the land and to grab the said amount the deceased has been done to death.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has clean antecedent, in fact the petitioner is the wife of the deceased. He further submits that it is apparent from the FIR, that nothing specific against the petitioner and there is general and omnibus allegation all the accused persons. He further submits that there is no eyewitness of the present occurrence. He further submits that the co-accused, namely, Manju Devi, Umesh Rai, Dinesh Rai, Runa Devi, Anisha Kumari and Babulal Singh have been granted privilege of the anticipatory bail by the co-ordinate Bench of this Hon'ble Court vide order dated 17.08.2020 in Cr. Misc. No.18322/2020 and the petitioner is in custody since 17.03.2021.

Learned counsel for the State on the basis of the material available on the record and the case diary fairly submits



that there is only general and omnibus allegation against all the accused persons including the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Jandaha P.S. Case No.259/2019 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 steps 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)

Prakash Narayan /-

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