

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37753 of 2022

Arising Out of PS. Case No.-336 Year-2021 Thana- PIPRA District- Supaul

1. AJIT KUMAR Son of Hareram Paswan Resident of Village - Bairiya Ward No.- 13, P.S.- Supaul, District - Supaul.
2. Chandan Devi Wife of Basudeo Paswan Resident of Village - Sakhua, Ward No.- 4, P.S.- Pipra, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioners and the learned APP for the State.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioners are in judicial custody in connection with Sessions Trial No.92 of 2022 arising out of Pipra P.S. Case No.336 of 2021 instituted under Section 302 of the IPC and 27 of the Arms Act.

As per the FIR, the informant who is grandson of the deceased has alleged that he was sleeping along with his grandfather on 27.11.2021 in the house. In the night one person came and killed his grandfather.. The accuseds had come on two motorcycles and three persons riding it. It has further been alleged that before his death his grandfather was threatened with



dire consequences by Amal Dutt Ram and Prem Prakash Kumar. Accordingly, the FIR has been lodged.

Considering the fact that has been observed in the order of the learned Sessions Judge not contradicted by the counsel for the petitioners in the present bail application of the role of the petitioner no.1 in the alleged killing, this Court is not inclined to grant any relief to petitioner no.1 namely Ajit Kumar and his bail application is accordingly rejected.

So far as the petitioner no.2, Chandan Devi is concerned, in view of the fact that she is a lady, the role of killing has not been attributed to her, is in custody since 22.12.2021 (as stated in para-9 of the bail application) and she do not have criminal antecedent, this Court is inclined to grant the petitioner no.2, Chandan Devi privilege of bail.

Let petitioner no.2, Chandan Devi be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sessions Trial No.92 of 2022 arising out of Pipra P.S. Case No.336 of 2021 to the satisfaction of learned Additional District & Sessions Judge, VII, Supaul, subject to following conditions:

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show



his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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