

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47342 of 2021

Arising Out of PS. Case No.-59 Year-2019 Thana- RAJPUR District- Rohtas

SHANTI DEVI Wife of Umesh Sah Resident of Village - Rajpur, P.S.-
Rajpur, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 Heard the learned counsel for the petitioner and Sri
Madan Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection
with Rajpur PS case no. 59 of 2019 instituted for the offences
punishable under Sections 302, 201, 376/34 of Indian Penal
Code and Sections 4 and 6 of POCSO Act.

The allegation is regarding the accused persons
having murdered the minor daughter of the informant.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case, is having a clean antecedent and
is languishing in custody since 16.12.2020. The learned counsel
for the petitioner has further submitted that the charges have
already been framed in the present case and during the course of



trial, the informant has deposed as PW 3, however he has retracted from his earlier statement made before the police. Lastly, it is submitted that almost all the co-accused persons have already been granted bail by co-ordinate Benches of this Court vide orders dated 12.09.2019, passed in Cr. Misc. no. 56939 of 2019, order dated 30.06.2021, passed in Cr. Misc. no. 31442 of 2020 and order dated 08.12.2021, passed in Cr. Misc. no. 43030 of 2021 respectively.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of 1st Additional District and



Sessions Judge, Rohtas at Sasaram in connection with Rajpur
PS case no. 59 of 2019.

(Mohit Kumar Shah, J)

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