

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51902 of 2021

Arising Out of PS. Case No.-93 Year-2021 Thana- ATHMALGOLA District- Patna

1. Lalita Devi W/o Devanand Sao R/o village- Ganjpar, P.S.- Athmalgola, District- Patna
2. Devanand Sao S/o Late Amirak Sao R/o village- Ganjpar, P.S.- Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-03-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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

Petitioners seek bail in a case registered for the offences punishable under Sections 302, 201 of the Indian Penal Code.

According to prosecution case, as per written report of the informant, namely , Sujit Kumar Paswan posted as Chaukidar at Athmalgola police station stating therein that on 06.05.2021 he got information from the villagers that one



deadbody of a lady is lying in Thantha River then, he went there and saw the dead body of a lady aged about 19-20 years is lying there then informed to police station and trying to identify from local peoples but not succeeded.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case only on the basis of suspicion. He further submits that during investigation no cognizance evidence has come against the petitioners. He further submits that petitioner no.1 in her self confessional statement before the police disclosed that the deceased was in love with one Rajeev Kumar and she has committed suicide. The petitioners are in custody since 08.05.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Athmalgola P.S. Case No. 93 of 2021, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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