

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55393 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- UDAKISHUNGANJ District- Madhepura

RAMNI DEVI Wife of Shankar Mandal Resident of Village - Gopalpur, P.S.-
Uda Kishunganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 302, 34 and 120(B) of the Indian
Penal Code and Section 27 of the Arms Act.

The bhabhee of the informant is said to have been
killed.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case on the basis of suspicion. He further
submits that there is no eye witness to the alleged
occurrence. He further submits that there is general and
omnibus allegation against the petitioner and no specific



overt act is attributed to him. He further submits that there is admitted land dispute between the parties and on account of the same, he has been made accused in this case. The petitioner has also been implicated in another case being Udakishanganj P.S. Case No. 38 of 2021 by the informant of the present case. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 04.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Uda Kishunganj P.S. Case No. 33 of 2021 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 canceled 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 step 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)

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