

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56535 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

Sumitra Devi, Wife Of Vijay Yadav, R/O Village- Maheshpur, Aliganj, P.S.-
Mojahidpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-04-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Harendra Prasad, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Mojahidpur (Babarganj) P.S. Case No.46 of 2021 registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code. She is in custody since 12.04.2021. The petitioner has got one criminal antecedent in which she is said to be on bail.

Learned counsel for the petitioner submits that as per the prosecution story some unknown persons committed theft in the shop of the informant.



Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of the co-accused Sagar Yadav and save and except the confessional statement there is no independent material against this petitioner. It is submitted that the petitioner is in custody for over one year in connection with the present case.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused Sagar Yadav, there is no independent material against this petitioner and the petitioner is in custody for over one year, investigation against her is complete and her presence may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No.46 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 her 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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

