

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58531 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- SIMRA District- West Champaran

RASHILA DEVI W/O RAMESH URAON R/o village- Ramwaliya, P.S.-
Semra, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-03-2022 Heard learned counsel for the petitioner and Mr.
Nirmal Kumar Sinha, learned A.P.P. for the State.

The petitioner seeks bail in connection with Semra
P.S. Case No. 47 of 2021 instituted for the offences under
Sections 147, 148, 149, 341, 323, 307 and 302 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 26.05.2021 is a person with clean
antecedent and is an women, charge-sheet has been submitted
in the case and the informant alleges that his cousin (deceased)
used to perform Tantrik Puja, on 26.04.2021 he got a call on his
mobile and was called at Ramwaliya village for performing a
Puja. Further, on 27.04.2021, the deceased called his cousin on
his mobile as detailed in the First Information Report that the



named accused persons in the First Information Report including the petitioner got the Puja performed and on asking from money were assaulted leading to injury, accordingly, it is alleged that the informant came to the hospital where he found his brother dead.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the First Information Report, it would manifest that the petitioner has been implicated with general and omnibus allegation. It is further submitted that no person after having got the Puja performed would kill the priest for demanding money. It is further submitted that deceased was a weak person, who died due to COVID and in garb of COVID death, the present petitioner has been implicated falsely. It is further submitted that it absolutely does not stand to reasons that if what has been alleged in the First Information Report by the informant then Baijnath Ram ought to have instituted the present First Information Report as the informant alleges that it was Baijanth Ram, who was informed by the deceased that he was being assaulted by the named accused persons including the petitioner on demanding money for performing Puja. It is further submitted that co-accused, namely, Rudal Ram & Rabri Devi have been granted bail by order dated



18.01.2022 passed in Cr. Misc. No. 47781 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 25.06.2021, is a person with clean antecedent and is a women and also charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-3rd, Bagaha, West Champaran in connection with Semra P.S. Case No. 47 of 2021.

(Satyavrat Verma, J)

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