

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59789 of 2021

Arising Out of PS. Case No.-319 Year-2021 Thana- LAHERIMUHALLA District- Nalanda

SHAKUNTALA DEVI W/o Madhesh Paswan Resident of Village - Koyal
Bigha, P.s.- Chandi in the Distt. of Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60610 of 2021

Arising Out of PS. Case No.-319 Year-2021 Thana- LAHERIMUHALLA District- Nalanda

HEMANTI DEVI Wife of Surendra Prasad @ Sosa Resident of Village -
Ranisarai, P.S.- Pawapuri (Giriak), District - Nalanda At present Mohalla -
Shivpuri, P.S.- Laheri, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 59789 of 2021)

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

(In CRIMINAL MISCELLANEOUS No. 60610 of 2021)

For the Petitioner/s : Mr.Udbhav

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2022 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, 120(B)/34 of the Indian Penal Code.

According to prosecution case, the informant namely Ravi Ranjan was recorded his fardbeyan on 27.7.2021 alleging therein that he alongwith his mother are residing in the house of Santosh Prasad on rent at Mohalla Shivpuri, Laheri, Biharsharif since last 10 years. His mother was family associated with accused/petitioner Shakuntala Devi and Hemanti Devi who were also residing on rent in the same mohalla. On 26.7.2021 his mother Rintu Devi went away alongwith petitioner Shakuntala Devi and Hemanti Devi. It is further alleged that in the evening he received information that his mother Rintu Devi has been done to death in the rented house of Brijnanda Prasad. On that information he went there and saw the dead body of his mother Rintu Devi lying in a room of the house.

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 in fact the allegation as per F.I.R. against the petitioners that the deceased Rintu Devi went out from the house alongwith the petitioner and one Hemanti Devi, so there is only case of last seen can be said to be made out. He further



submit that nothing has come during investigation against the petitioners. The petitioners are in custody since 28.07.2021.

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

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 Laheri P.S. Case No. 319 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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