

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60423 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- DULHIN BAZAR District- Patna

1. Susila Kumari @ Sushila Devi D/o Ram Ramesh das R/o village- Ainkhan, P.S.- Dulhin Bazar, District- Patna
2. Chandrawati Devi D/o Ram Rahesh Das R/o village- Ainkhan, P.S.- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-04-2022 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

The application for grant of regular bail to the petitioners, above named, who have been made accused and put behind the bar in connection with Dulhin Bazar P. S. Case No. 171 of 2020 registered for the offences punishable under Sections 143, 147, 139, 341, 323 and 302 of the Indian Penal Code.

As per the prosecution case, it is alleged that eight F.I.R. named accused persons, including these two petitioners herein are stated to have come, armed with *Lathi* and *Danda*, having assaulted the daughter of the informant, leading to internal injury, and on the next day, while taking her to the hospital, she died on the way. Further the cause of occurrence is alleged to be that the informant had solemnized the marriage of



petitioner No. 1 in Uttar Pradesh which cause annoyance to the accused persons resulted into quarrel and Mar-peat.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are ladies and there is no specific allegation against them rather general and omnibus allegation has been leveled against all the accused persons. It is further submitted that one of the co-accused, who is having similar allegation, has already been granted bail by co-ordinate Bench of this Hon'ble Court in Cr. Misc. No. 50114 of 2021 vide order dated 23.03.2022. It is lastly submitted that the investigation has been concluded and the charge-sheet has already been submitted in the present case and the petitioners are in custody since 30.08.2020.

On the other hand, learned APP for the State opposes the bail application, however, he is unable to controvert the submission that similarly situated person has already been granted bail by this Hon'ble Court.

Having considered the submissions made on behalf of the parties and taking into consideration this fact that the petitioners are ladies and they are in custody since 30.08.2020 and there is general and omnibus allegation against them, apart from the fact that the other accused person has already been



granted bail by co-ordinate Bench of this Hon'ble Court, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur in connection with Dulhin Bazar P. S. Case No. 171 of 2020, subject to the condition that one of the bailors will be the close relative of the petitioners with further conditions which are as follows:-

- (i) The petitioners will cooperate in conclusion of the trial.
- (ii) They will remain present on each and every date of trial till disposal of the case.
- (iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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