

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.50518 of 2022**

Arising Out of PS. Case No.-141 Year-2022 Thana- ADAPUR District- East Champaran

SUMANTI DEVI W/O LAL BABU SAH Resident of village- Beldarwa, P.S.-
Adapur, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-12-2022 Learned counsel for the petitioner undertakes to
remove the SR defects by 16th January, 2023.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Adapur P.S. Case No. 141 of 2022 registered
for the offences punishable under Section 328, 302, 34 of the
Indian Penal Code. She is in custody since 16.05.2022 having
no criminal antecedent as stated in paragraph ‘3’ of the
application.

As per the prosecution story, the informant has
alleged that while she received information through phone that
her daughter, who was married with Vijay Sah, was assaulted by
her mother-in-law and others and ousted her from the house,



then she went there but her daughter was not there and she found the dead body of maternal grand-son (Nati) aged about 8 years, was lying on the chauki.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that there is no eye witness to the alleged occurrence, however she is in custody since 16.05.2022.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the grand-mother of the petitioner and as per submissions there is no eye witness to the alleged occurrence, the petitioner has otherwise no criminal antecedent and has remained in custody since 16.05.2022, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri K.K. Shukla, learned Judicial Magistrate, Raxaul at Motihari in connection with Adapur P.S. Case No. 141 of 2022, 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.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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