

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61251 of 2021

Arising Out of PS. Case No.-143 Year-2020 Thana- JAGDISHPUR District- Bhojpur

Priyanka Kumari @ Priyanka Singh D/O- Dinesh Singh R/O Village- Kaura,
P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-04-2022 Heard learned counsel for the petitioner 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.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201, 323, 325, 120(B), 34 of the Indian Penal Code.

According to prosecution case, as per fardbeyan of the informant Avakash Singh is that there was disputed between his neighbour Vivek Kumar @ Golu Kumar with the co-accused Mohan Kumar regarding mobile of the petitioner. On 17.06.2020 the co-accused Mohan Kumar, Pawan Kumar, Prince Kumar and uncle of Prince Kumar all came with white Scorpio vehicle and they came in the orchard situated back to



the house of the informant. Vivek Kumar @ Golu Kumar called Ankit Kumar, the son of the informant, and all the four co-accused persons went to back to the house of the informant where the co-accused Mohan Kumar and Pawan Kumar told both of them that Pappu had Mukhiya has called them. The deceased Ankit Kumar Singh and the Golu Kumar did not want to got with them but on insist of these four co-accused they became ready to got with them. The informant have told them to returned them back to their house. All the four persons taken the son of the informant and the Golu Kumar with Scorpio. Thereafter, the co-villagers Santosh Kumar had called Mohan Kumar many times on his mobile then the co-accused Mohan Kumar told him that they have left both of them to the Harigaon Bazar but the son of the informant and Vivek Kumar @ Golu Kumar has not returned. In the morning, Golu Kumar @ Vivek Kumar has told on mobile to his father that accused persons had killed Ankit Kumar Singh and put his body on the western Gumati on the railway track due to which his body was cut down. He told that he was also bitten by the accused persons and he bacome insane and he was also put down to the stone chips to the railway track. On the informant given by the Golu Kumar, the informant, the father of Golu Sri Subodh Singh and



co-villager Santosh Kumar alongwith other co-villager went to the railway track and saw that the dead body of the son of the informant was laying down in the two parts and Golu Kumar was in the injured condition near about 100 feet in the west railway line.

Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused namely, Vivek Kumar @ Golu Kumar. He further submits that petitioner is married girl and she has no concerned with the alleged occurrence and there is no eye witness of the alleged occurrence. He further submits that similarly situated, co-accused, namely, Satendra Singh @ Pappu Singh has been granted bail by a co-ordinate Bench of this Court vide order dated 30.06.2021 passed in Cr. Misc. No. 10252 of 2021. The petitioner is in custody since 14.08.2020.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jagdispur P.S. Case No. 143 of 2020, subject to the following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed his 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.

(Rajesh Kumar Verma, J)

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