

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60954 of 2021**

Arising Out of PS. Case No.-60 Year-2021 Thana- BASANHI District- Saharsa

Chandrakala Devi, W/o Late Yogendra Yadav, R/o village- Barsam, P.S.-  
Basnahi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      27-06-2022                      Heard learned counsel for the petitioner and learned  
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Basnahi P.S. Case No. 60 of 2021 registered for the alleged offences under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that he along with other co-accused persons committed murder of the husband of the informant over some land dispute.

The learned counsel for the petitioner submits that there is no eye-witness to the occurrence and some of the



witnesses in the case diary have not stated anything about the involvement of the petitioner in the said crime. The learned counsel further submits that the allegation is mainly against co-accused Raushan Yadav, but none has seen him committing the crime. The petitioner has been roped in the case only due to the fact that she is a family member of the co-accused and there is land dispute between the informant's side and the petitioner's side. The petitioner is in custody since 02.05.2021.

Learned APP has opposed the prayer for bail, submitting that after investigation charge-sheet has been submitted and the case has been found true against the petitioner.

Having regard to the submissions made hereinabove and considering the fact that land dispute is admitted in the FIR itself and further considering the lack of evidence in the case diary about anyone seeing the petitioner committing any overt act and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Saharsa in connection with Basnahi P.S. Case No. 60 of 2021, subject to



the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

V.K.Pandey/-

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