

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63622 of 2021

Arising Out of PS. Case No.-271 Year-2021 Thana- SHERGHATI District- Gaya

1. RENU KUMARI D/o Surendra Chaudhary Resident of Village- Kosma, Khariya, P.S.- Dobhi, District- Gaya
2. Savitri Devi Wo Surendra Chaudhary Resident of Village- Kosma, Khariya, P.S.- Dobhi, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra
For the Informant/s	:	Mr.Ajit Anand
For the Opposite Party/s	:	Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 13-10-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

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

The petitioners seek bail in connection with Sherghati (Dobhi) P.S. Case No. 271 of 2021 registered for the offences punishable under Sections 147, 149, 324, 302 of the IPC.

As per prosecution case, 23 named accused persons and 5-6 unknown persons killed the informant's son.

Learned counsel for the petitioners submits that petitioners are not named in the FIR. During the course of



investigation the name of present petitioners has been surfaced upon the confessional statement of co-accused, Surendra Chaudhary as mentioned in para 37 of the case diary. Except confessional statement of co-accused Surendra Chaudhary, there is nothing on record to demonstrate the complicity of the present petitioners with the alleged occurrence. Learned counsel for the petitioners submits that petitioners are in custody since 17.05.2021 and bear no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that there is no specific allegation against the petitioners rather the same is general and omnibus in nature. Petitioners are ladies. The petitioners are innocent and have committed no offence as alleged in the FIR.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, petitioners are ladies and they are not named in the FIR, keeping in view clean antecedent of petitioners, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also



taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Sherghati, District-Gaya in connection with Sherghati (Dobhi) P.S. Case No. 271 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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