

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54201 of 2022

Arising Out of PS. Case No.-108 Year-2022 Thana- PIPRAHI District- Sheohar

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KAEELI DEVI @ PREMSHILA DEVI W/O RAM CHANDRA KAPAR
Resident of village- Punaura Dham, P.S.- Punaura, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Advocate
For the Informant/s	:	Mr. Ritesh Kumar Narayan Singh, Advocate
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-12-2022 Heard Mr. Sanjay Kumar, learned counsel for the petitioner, Mr. Ritesh Kumar Narayan Singh who represents the informant and Mr. Jitendra Kumar Singh, learned APP who represents the State through video conferencing in view of the Covid-19.

Let the defect(s), if any, as pointed out by the office be removed within four weeks.

The petitioner is in judicial custody in connection with Piprahi P.S. Case No. 108 of 2022 for the offences under Sections 363, 302 of the Indian Penal Code.

As per the prosecution story, the lady, Ram Dulari Devi gave statement on 24.4.2022 narrating therein



that his son, Naveen Kumar Chaudhary left for Sitamarhi stating that he will be returning by evening but he could not be traced out. She suspected his kidnapping on the ground that a land was sold by him for Rs. 25 lakh.

Accordingly, the police took up the matter and in course of investigation picked up one Chandeshwar Mahto who made confessional statement naming this petitioner and that way, she came into judicial custody.

Learned counsel for the petitioner submits that the alleged occurrence is of 18.4.2022 but the informant waited for six days to lodge this FIR. It is his further submission that on the basis of confessional statement before the police, she has been picked up without any role of her and is in custody since 7.5.2022 (as stated in para-16 of the bail application).

Learned counsel for the informant and the learned APP opposed the bail application.

Taking into account the facts that the name of the petitioner has come in the confessional statement, she is in custody since 7.5.2022, charge-sheet stands submitted, is a lady and there is no criminal antecedent against her, this Court is inclined to grant him privilege of



bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned J.M. 1st Sheohar, in connection with Piprahi P.S. Case No. 108 of 2022, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.



With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan/
Ajay-

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