

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64491 of 2021

Arising Out of PS. Case No.-79 Year-2019 Thana- BAGENGOLA District- Buxar

1. KUSUMI DEVI WIFE OF SHIV DULAR YADAV RESIDENT OF VILLAGE- BADARHI TOLA CHAPRA, P.S. BAGENGOLA, DISTRICT- BUXAR
2. SONEE KUMARI DAUGHTER OF SHIV DULAR YADAV RESIDENT OF VILLAGE- BADARHI TOLA CHAPRA, P.S. BAGENGOLA, DISTRICT- BUXAR
3. PINKI DEVI WIFE OF TEJU YADAV RESIDENT OF VILLAGE- BADARHI TOLA CHAPRA, P.S. BAGENGOLA, DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Deo Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-01-2022 Heard Mr. Suraj Deo Singh, learned counsel for the petitioners and Mr. Kumar Veerendra Narayan, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Sessions Trial No. 88 of 2020 arising out of Bagengola P.S. Case No. 79 of 2019 registered for the offences punishable under Sections 302, 201, 147, 148, 341, 342 and 323 of the Indian Penal Code.

This is second attempt for grant of regular bail on behalf of the petitioners inasmuch as earlier the bail application



of the petitioners was rejected by this Court vide order dated 8.9.2020 passed in Cr. Misc. 19868 of 2020 with liberty to renew their prayer for grant of regular bail after one year if the trial does not show any progress.

Learned counsel for the petitioners submits that the trial is not likely to be concluded in near future due to Covid-19 pandemic and other reasons as mentioned in the report of the learned court below. Learned counsel further submits that the petitioners have been implicated in this case on the basis of their confessional statement only and they are rotting in Jail since 16.11.2019.

This Court by order dated 01.12.2021 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned ADJ -IX, Buxar, dated 3.12.2021 is on record and from perusal of the same, it appears that out of seven charge sheet witnesses, six witnesses have been examined and cross-examined and only I.O. has to be examined on behalf of the prosecution. Report further says that a petition under Section 319 Cr. P.C. has been filed by the Prosecution on 8.9.2021 with regard to six accused persons and if the petition filed by the Prosecution under Section 319 Cr. P.C. is dismissed, then the trial court would endeavour to



conclude the trial within 2-3 months.

Regards being had to the submission made by the parties and taking into consideration the fact that the petitioners are in custody since 16.11.2019, they are ladies and the trial is not likely to be concluded in near future due to Covid-19 pandemic, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IXth, Buxar, in connection with Sessions Trial No. 88 of 2020 arising out of Bagengola P.S. Case No. 79 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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