

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66475 of 2021

Arising Out of PS. Case No.-26 Year-2021 Thana- PAWANA District- Bhojpur

1. PARVATI DEVI Wife of Bhisn Kumar @ Bhishan Kumar @ Bhishan Yadav R/o- Kakan Dihara, P.S. - Pawana, District - Bhojpur.
2. Sita Sundari Kumari @ Chhoti Daughter of Satyadeo Singh R/o- Kakan Dihara, P.S. - Pawana, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Tiwari

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 30-06-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Pawna
P.S. Case No. 26 of 2021 registered for the offence under
Sections 302 and 34 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and
are in custody since 13.08.2021.

The allegation against the petitioners is to commit
murder of the brother of the informant, who was in love affairs
with the daughter of the co-accused.



Learned counsel appearing on behalf of the petitioners submitted that informant is not the eyewitness of the present occurrence and the entire version of allegation is based upon suspicion. It has further been submitted that the nature of allegation is general and omnibus, having no overt act against the petitioners. It has further been submitted that petitioners are men of clean antecedent and similarly situated co-accused person has already been granted anticipatory bail by a learned co-ordinate Bench of this Court through Cr. Misc. No. 66227 of 2021 dated 24.05.2022.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that informant is not the eyewitness of the present occurrence.

Considering the facts and circumstances as mentioned above, as the name of the petitioners surfaced on the basis of mere suspicion coupled with the fact that the petitioners are men of clean antecedent, who are lady, let the petitioners, above named, are directed to be released on bail in connection with Pawna P.S. Case No.26 of 2021 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 JM – 1st Class, Ara (Bhojpur), subject to the following conditions:



“(i)Accused/Petitioners shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioners duly supported by the documents.

(ii) That one of the bailors shall be Bhisam Kumar @ Bhishan Kumar @ Bhishan Yadav, who is the husband of the petitioner no.1 and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S. Sen/-

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