

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66867 of 2021

Arising Out of PS. Case No.-223 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

Gangiya Devi W/o Ram Balak Sah R/o village- Sharif Nagar Tola Marhala,
P.S.- Tariyani, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrishti Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 413, 414/34, 120(B) of the Indian Penal Code.

As per prosecution case, in brief, it is alleged by the informant Sabhakant Paswan, SHO of Tariyani Police Station that on 25.09.2021 at about 2:30 P.M. information was received that at the scrap shop of Jhalak Sah, he along with his accomplice were dismantling a stolen truck. When the police party reached at the scrap shop at about 3:15 P.M. saw that around 6 to 7



persons were dismantling a truck with a gas cutter and one women was seen to separating the parts of the truck being dismantled. On seeing the police, the persons tried to flee away but three persons namely Jhalak Sah, Phuldev Sah and Gangiya Devi were apprehended and the remaining three persons managed to flee. It is further alleged that on investigation it was found that the stolen truck belonged to one Smt. Reena Devi and the price of the truck was estimated of Rs. 20,00,000/- (RupeesTwenty Lacs).

Learned counsel for the petitioner submits that the petitioner has clean antecedents and she has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that the allegation against the petitioner that he is helping the co-accused to dismantling the truck in question. He further submits that in fact the petitioner was doing his work as a labourer in the garage of co-accused persons and police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 26.09.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Court below where the case is pending in connection with Tariyani P.S. Case No. 223 of 2021, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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