

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71133 of 2021

Arising Out of PS. Case No.-374 Year-2020 Thana- UJIYARPUR District- Samastipur

SHEELA DEVI @ LAKKI DEVI Wife of Vijay Das Resident of Village-
Chandchaur Ram Nagar, P.S.- Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 17-10-2022 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 petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Ujiyarpur P.S. Case No. 374 of 2020 registered for the offences
punishable under Sections 302, 120(B) of the Indian Penal
Code..

As per prosecution case, informant's wife has been
killed by unknown persons.

Learned counsel for the petitioner submits that
petitioner is in custody since 18.02.2021. Petitioner bears no
criminal antecedent. Learned counsel further submits that
petitioner is not named in the F.I.R. During the course of



investigation petitioner has made confession and his name has been surfaced on his self-confessional statement. Petitioner is quite innocent and has falsely been implicated in the present case. Except confessional statement nothing is on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner has been made accused only on the basis of suspicion. Learned counsel further submits that there is no eye witness to the present occurrence. Nothing incriminating has been recovered from the conscious possession of the petitioner. Learned counsel also submits that Co-accused Raj Kumar Paswan has already been granted bail vide Cr. Misc. No. 42830 of 2021 by a co-ordinate bench of this court and the case of present petitioner stands more or less on similar footing.

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

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties and also taking into consideration the material available on record, 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



A.D.J. - XI, Samastipur in connection with Ujiyarpur P.S. Case
No. 374 of 2020, 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) Petitioner 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 petitioner tampers 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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