

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.260 of 2022

Arising Out of PS. Case No.-591 Year-2021 Thana- FATUA District- Patna

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SUNITA DEVI W/o Ranjan Mahto Resident of Dariyapur, P.S.- Fatuah,
District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Shankar Sinha, Advocate
For the Opposite Party/s : M.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 29-08-2022 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 offence punishable under Section 302 of the IPC.

Allegation against the petitioner is that she inflicted injury with knife to the husband of the informant. During treatment, he died.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case. In fact the petitioner is daughter-in-law of the deceased and only on the basis of suspicion, the



petitioner has falsely been implicated in the present case. Further submits that in fact the petitioner is a handicapped lady, she could not stand or walk without support of Baisakhi. So she could not assault the deceased as alleged in the FIR. Further submits that the allegation as alleged in the FIR does not support in the postmortem report and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 12.08.2021.

Learned A.P.P. 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/- (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 Fatuah P.S. Case No.591 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

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 his 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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