

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72291 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- SARAI District- Vaishali

PRIYANKA DEVI W/o Santosh Mahto Resident of Village- Akhtiyarpur
Patedha, P.S.- Sarai, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ganesh Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

Considering the fact that children of the petitioner
are outside, while the petitioner is in custody along with one
year old child, the present case has been taken up out of turn.

The petitioner, who is in custody since 25.08.2021,
seeks regular bail in connection with Sarai P.S. Case No. 211 of
2020, for the offence punishable under Sections 307, 302, 504
and 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that all the
accused persons, including the petitioner, have brutally
assaulted informant's mother Mira Devi, wife Rashmi Devi and



aunt Ahilya Devi. The victims sustained injury and in course of treatment, the mother of the informant died.

Learned counsel appearing on behalf of the petitioner submits that there is direct allegation against Sultan Mahto, Prem Mahto, Amarnath Mahto and Santosh Mahto, who assaulted the victims by means of iron-rod. He further submits that there is general and omnibus allegation against the petitioner and no specific overt act has been attributed against her. He further submits that the brother of the informant had trespass the house of petitioner in drunken state due to that he was caught and hot talk exchanged.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the above mentioned facts and circumstances of the case and there is general and omnibus allegation against the petitioner, the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-XVI, Vaishali at Hajipur in connection with Sarai P.S. Case No. 211 of 2020, subject to the following conditions:-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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