

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.420 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- BARHARA KOTHI District- Purnia

RATAN DEVI @ MAINA W/o Late Bachkan Mandal, D/o Mahadeo Mandal
Resident of Near Jainagara Petrol Pump @ Orlaha @ Urlaha, P.S. - B. Kothi,
District - Purnia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Adv
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2022 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 Sections 302, 201, 120(B) of the Indian Penal Code.

The brother of the informant is said to have been killed by his wife and her associates.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He



further submits that there is no eye witness of the alleged occurrence and the petitioner is named in the FIR. He further submits that during investigation, except the suspicion, nothing has come against the petitioner and similarly situated co-accused Gautam Kumar Singh has been granted bail by this Court vide order dated 12.04.2022 in Cr. Misc. No.60490 of 2021 and another co-accused, namely, Ajay Paswan has also been granted bail vide order dated 21-04-2022 in Cr. Misc. No.60884 of 2021 by this Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.09.2021.

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

Considering the aforesaid facts, 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 Barhara (Raghubansh Nagar) P.S. Case No. 189 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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