

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2121 of 2023

Arising Out of PS. Case No.-491 Year-2022 Thana- TURKAULIYA District- East
Champaran

Uma Devi, Wife of Rudal Ram, R/V- Nariyarwa, P.S- Turkauliya, Dist- East
Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-04-2023 Heard Mr. Shashank Shekhar, learned counsel
appearing on behalf of the petitioner and the learned APP for the
State.

The petitioner seeks regular bail, who is in custody in
connection with Turkauliya P.S. Case No. 491 of 2022
registered for the offences punishable under Sections 147, 341,
323, 324, 354 (B), 379, 308, 385, 504 and 506 of the Indian
Penal Code.

It is alleged that in the backdrop of long standing
dispute, all the accused persons variously armed came and
started abusing and assaulting the informant. It is specifically
alleged that at the instance of co-accused Rudal Ram, co-
accused Suraj Ram, assaulted the informant on his head with a
sword and further when his wife came to his rescue, co-accused



Chandan Ram, misbehaved with her. Allegation against the petitioner has been made of snatching *mangalsutra* worth Rs. 30,000/-

Learned counsel appearing on behalf of the petitioner submits that from the FIR it is evident that specific allegation has been levelled against co-accused Suraj Ram and Chandan Ram and so far the allegation against the petitioner is concerned i.e. an ornamental only in order to implicate her. He further submits that the petitioner is a hapless lady and she is in custody since 05.10.2022, though the investigation of the crime is already complete and the charge-sheet has been submitted. He further submits that though the occurrence took place on 27.05.2022, however, the FIR has been instituted on 30.05.2022 and, as such, the FIR is a piece of deliberation and false implication of the petitioner cannot be ruled out.

On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is a lady, having three criminal antecedent, and she appears to be involved in criminal activities.

Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR and the nature of allegation against the petitioner, coupled with



the period of custody, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 491 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will remain present on each and every date of trial till disposal of the case.

(iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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