

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2375 of 2023

Arising Out of PS. Case No.-231 Year-2022 Thana- PUNPUN District- Patna

1. KHUSHBOO KUMARI Wife of Pintu Kumar Resident of Village - Jat Dumari, P.S.- Punpun, District - Patna.
2. Mina Devi Wife of Late Vidyanand Singh Resident of Village - Jat Dumari, P.S.- Punpun, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioners, learned counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 365/34, 302, 201, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, on the basis of written application of Jitendra Kumar alleging therein that on 04.07.2022, his younger brother Jalendra Kumar @ Chunna alongwith his friend Manish Kumar had gone to the house of Pintu Kumar of village Jat Dumari for the payment of dues amount of Rs.1.5 lakh in respect of some land for which an



agreement deed had already taken place but he could not return. It has further alleged that the informant alongwith his villagers came to the house of Pintu Kumar and contacted him with his mobile but he tried to misguide him. Hence it is suspected that Pintu Kumar with his friends had abducted them.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the petitioners are the lady and petitioners are not named in the F.I.R. and the name of these petitioners have been transpired on the basis that the petitioners are the mother and wife of the co-accused namely, Pintu Kumar. He further submits that no other cogent material has come during investigation against these petitioners and the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 07.07.2022.

The learned counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are involved in the present occurrence.

Considering the aforesaid facts and circumstances, let



the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with S.Tr. No. 1338 of 2022, arising out of Punpun P.S. Case No. 231 of 2022, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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