

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4695 of 2023

Arising Out of PS. Case No.-499 Year-2018 Thana- ARA NAWADA District- Bhojpur

Gita Devi Wife of Late Amarnath Chaudhary Resident of Village- Block
Road, Bihiya, P.S.- Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
14.01.2022, in connection with Ara Nawada P.S. Case No. 499
of 2018, F.I.R. dated 21.07.2018 registered for the offences
punishable under Sections 302, 201 of the Indian Penal Code.

The F.I.R. of the occurrence of murder is against
unknown.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has been falsely
implicated in the present case on the basis of suspicion. He
further submits that the son of the petitioner was arrested and
faced the trial, in which he has been acquitted by the learned
Court below vide the judgment dated 15.12.2022 in Sessions



Trial No. 197 of 2021. He further submits that the petitioner was arrested on 14.01.2022 only on the basis that the petitioner was co-accused in the present occurrence.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts that the petitioner is mother-in-law of the deceased and the son of the petitioner who was the husband of the deceased has been acquitted by the learned Court below as well as petitioner is in custody since 14.01.2022, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 499 of 2018, subject to 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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 petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, 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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