

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5758 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- JAMOBABAZAR District- Siwan

RAM PATIYA DEVI W/o Sharma Ram R/o village- Jamo Bazar, P.S.- Jamo
Bazar, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Jamo
Bazar P.S. Case No. 152 of 2022 registered for the offence
under Sections 302/34 of the Indian Penal Code.

The daughter of the informant is alleged to have
been killed by the petitioner, who happens to be Mausi of the
deceased.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the allegation, as alleged in the F.I.R., is
false and fabricated and the petitioner has not committed



any offence. He further submits that from bare perusal of the F.I.R., it appears that there is general and omnibus allegation against the petitioner and her brother-in-law that they have killed the daughter of the informant for the reason that she made protest while they were pressuring the victim for illegal work beside domestic work. He further submits that there is no eye witness to the alleged occurrence. He further submits that the petitioner happens to be Mausi of the deceased, who has been living with her for the last ten years. He further submits that as a matter of fact, the victim has committed suicide. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 17.11.2022.

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-10th, Siwan in connection with Jamo Bazar P.S. Case No. 152 of



2022 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 canceled 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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