

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20516 of 2022

Arising Out of PS. Case No.-185 Year-2019 Thana- AMNAUR District- Saran

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Anita Devi, Wife Of Late Chhote Lal Rai, D/O- Chandradev Ray, R/O - Khor
Paker Govind, P.S.- Amnour, District- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.R.P. Shah, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 04-01-2023 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

This is the second attempt of the petitioner to obtain bail in connection with Sessions Trial No.246 of 2020 arising out of Amnour P.S. Case No.185 of 2019 registered for the offences under Sections 302/201/120(B) of the Indian Penal Code. She is in custody since 30.06.2019. She has no criminal antecedent.

Learned counsel for the petitioner submits that earlier the prayer for regular bail of the petitioner was rejected by this Court vide order dated 25.08.2021 passed in Cr.Misc.No.12917 of 2021 with an observation that if the trial remains unconcluded within the said period of one year for no reason attributable to the petitioner, she may renew her prayer for bail.



Learned counsel submits that the allegation against the petitioner is that of hatching a conspiracy in collusion with co-accused Shailendra Rai for killing of her husband. She is in custody since 30.06.2019. It is pointed out that Shailendra Rai has been granted bail by a learned coordinate Bench of this Court in Cr.Misc.No.12706 of 2021 vide order dated 27.08.2021 (Annexure-3). Despite indulgence granted by this Court, the trial has yet not been concluded.

Learned APP for the State has though opposed the prayer for bail of the petitioner, but in the given facts and circumstances of the case wherein the petitioner has remained in custody since 30.06.2019 and she has renewed her prayer for bail in terms of the observations of this Court contained in the order dated 25.08.2021 passed in Cr.Misc.No.12917 of 2021, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Saran in connection with Sessions Trial No.246 of 2020, arising out of Amnour P.S. Case No.185 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C.

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 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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