

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21976 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- SARAI RANJAN District- Samastipur

Rubi Devi Wife of Late Santosh Ram Resident of Village - Gopalpur, P.S.-
Sarairanjan, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
05.06.2022 in connection with Sarairanjan P.S. Case No. 136 of
2022, F.I.R. dated 30.05.2022 for the offences punishable under
Sections 324, 326, 302/34 of the Indian Penal Code.

According to prosecution case, the informant believes
that Guddu Ram and Ram Kumar who earlier threatened them
have killed his son, namely, Santosh Ram by stabbing him while
he was sleeping on the terrace.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and she has falsely been implicated in the present case on the basis of self confessional statement of the petitioner. He further submits that the informant is not the eye witness of the alleged occurrence and nothing has been recovered to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Raushan Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 07.02.2023 passed in Cr. Misc. No. 62662 of 2022. The petitioner is in custody since 05.06.2022.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 10th, Samastipur in connection with Sarairanjan P.S. Case No. 136 of 2022, 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 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 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.

(Rajesh Kumar Verma, J)

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