

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25590 of 2023

Arising Out of PS. Case No.-353 Year-2022 Thana- RUPASPUR District- Patna

ROZI KHATOON Wife of Md. Raju R/o Yarpur, Road No. 15, PS-
Gardanibagh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
26.06.2022 in connection with Rupaspur P.S. Case No. 353 of
2022, F.I.R. dated 15.06.2022 for the offences punishable under
Sections 302, 201, 120(B) of the Indian Penal Code.

3. According to prosecution case, a unknown dead
body was recovered from mud with the help of local person and
for the identification, the photo of dead body was posted on
social media. Thereafter, the informant stated on perusal of
occurrence place, it seems that it was a planned murder by
unknown accused and thrown the dead body in canal with a
view of wipe out the evidence.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person and thereafter, self confessional statement of the petitioner and except the aforesaid no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that similarly situated, co-accused, namely, Parwez Alam @ Md Perwez has been granted bail by this Court vide order dated 18.05.2023 passed in Cr. Misc. No. 6898 of 2023, another co-accused namely, Atul Kumar has been granted bail by this Court vide order dated 20.06.2023 passed in Cr. Misc. No.683 of 2023 and another co-accused namely, Md. Tabrez @ Mohammad Tabrez @ Tabrez has been granted bail by a co-ordinate Bench of this Court vide order dated 22.06.2023 passed in Cr. Misc. No.7280 of 2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 26.06.2022.

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



petitioner.

6. 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 A.D.J.-I, Danapur, Patna in connection with Rupaspur P.S. Case No. 353 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, his 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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