

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27462 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- TURKAULIYA District- East Champaran

1. Veena Devi wife of Jaidrad Paswan @ Jaidarash Paswan Village- Rohiniya Ps- Banjaria Dist- East Champaran
2. Tara Devi wife of Bachu Paswan Village- Rohiniya Ps- Banjaria Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Rashmi Jha
		Mr. Abhishek Kumar, Advocates
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail, who are in custody since 20.01.2023, in connection with Turkauliya (Banjariya) P.S. Case No. 03 of 2023, F.I.R. dated 01.01.2023 registered for the offences punishable under Sections 447, 504, 302, 34 of the Indian Penal Code.

Allegation against the petitioners is that they and other co-accused persons came at the door of the informant and started abusing and when he protested the same then accused persons including the petitioners assaulted the informant's father and due to assault informant's father died on the spot.



Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. She further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners. She further submits that the allegation as alleged in the F.I.R. is not supported by the medical evidence (postmortem report) and both the petitioners are ladies and the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 20.01.2023.

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

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya (Banjariya) P.S. Case No. 03 of 2023, subject to the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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