

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29123 of 2023**

Arising Out of PS. Case No.-834 Year-2022 Thana- NAUBATPUR District- Patna

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DEVANTI DEVI WIFE OF MUNNA SAHANI @ MUNNA PRASAD R/O
VILLAGE- NISARPURA LAKH, P.S.- NAUBATPUR, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 25-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Naubatpur P.S. Case No. 834 of 2022 dated 19.12.2022

registered for the offence under Sections 3341, 323, 324,

307, 302 and 34 of the Indian Penal Code.

The son of the informant is alleged to have been

killed after being assaulted by the F.I.R. named accused

persons.

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 petitioner has not been named in



the F.I.R., however, her name transpired in this case on the basis of confessional statement of the co-accused, Kanhai Verma. Save and except the confessional statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that it appears from the F.I.R. itself that no specific allegation of assault of any overt act is attributed to the petitioner rather there is general and omnibus allegation leveled against her. 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 09.01.2023.

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 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.-VI Danapur, Patna in connection with Naubatpur P.S. Case No. 834 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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