

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40487 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- LACHHUAR District- Jamui

1. RUBY DEVI W/O SODHAN KORA R/O Village- Kodashi, Lachhuman, P.S- Lacchuwar, Distt.- Jamui.
2. Sintu Kora S/O Mangru Kora R/O Village- Fulwariya, P.S- Lacchuwar, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-07-2023 Heard the parties.

The petitioners are in custody since 25.3.2023 in connection with Lachhuwar P.S. Case No. 39 of 2023 for the offence punishable under Sections 302, 120(B), 34 of the I.P.C. lodged on 24.3.2023 by the informant Dinesh Koda.

The prosecution story, in brief, is that Dinesh Koda gave a written report stating there in that on 23.03.2022 at night about 10 O'clock went from his house on asked she told that he was going to the house of Ruby Devi as she called him for some work is there. It is further stated that he went to sleep.

Earlier Ruby Devi and Sintu Kora threatened to kill his son and fear was made on him. On 24.03.2023, at 6 A.M., he



came to know that his son was killed and thrown. Informant and family members went near the house of Ruby Devi and found dead body hanging rope mark on the neck as also blood was oozing from right ear. He had suspicion that petitioners herein killed his son.

Learned counsel for the petitioners submit that no one has seen the occurrence and the name of the petitioners have come only on the basis of suspicion. Further, they are in custody since 25.3.2023 (as stated in para15 of the bail petition).

Learned APP opposes the prayer stating that she had earlier threatened her son.

Considering the fact that the petitioners have no criminal antecedent, no one has seen the occurrence and are in custody since 25.3.2023, this Court is inclined to extend them the privilege of bail with conditions.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st Jamui, in connection with Lachhuwar P.S. Case No. 39 of 2023 subject to the following conditions:

- (i) one of the bailor should be the family member of



the petitioners who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) Petitioner no.2 Sintu Kora shall visit the police station for one year every month to mark his attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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