

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47606 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- AMAUR District- Purnia

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Poonam Devi W/O Sushil Mochi R/O Village- Majhgama, Ps. Angarh, Dist.
Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. 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.

3. Petitioner seeks bail who is in custody since
23.02.2023 in connection with Amour P.S. Case No. 53 of 2023,
F.I.R. dated 17.02.2023 for the offences punishable under
Section 395 of the Indian Penal Code.

4. According to prosecution case, 10-12 miscreants
jumped into the house of the informant and looted Rs.
5,00,000/-, two mobile phone etc. and also threatened the
informant and his family for dire consequences.

5. Learned counsel for the petitioner submits that



petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is the wife of the co-accused, namely, Sushil Mochi. He further submits that Rs. 3,42,000/- and two mobile phone were recovered from the house of the petitioner. He further submits that her husband was involved in the present crime in question and the petitioner has no concern at all with the alleged recovery or the crime in question and she was apprehended during the time of raid. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 23.02.2023.

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

7. 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 Judicial Magistrate 1st Class, Purnea in connection with Amour P.S. Case No. 53 of 2023, 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 his 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 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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