

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45427 of 2023

Arising Out of PS. Case No.-413 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

Rozi Devi @ Jhalo Devi, D/O- Prakash Mandal, R/O Village- Kola Khurd,
P.S- Jagdishpur, Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Session Case No. 12/2023 arising out of Jagdishpur P.S. Case
No. 413 of 2021 dated 17.12.2021 registered for the offences
punishable under Sections 302 and 120B/34 of the Indian Penal
Code.

The main submissions advanced by learned counsel
for the petitioner are that two similarly situated co-accused
persons namely Rakesh Kumar @ Gajadhar Mandal and Chanda
Devi @ Chuniya Devi have been granted bail by a co-ordinate
Bench of this Court vide order passed in Cr. Misc. No.
41600/2022 and the FIR was lodged about 13 days after the
commission of the alleged occurrence regarding which there is
no explanation. Further submissions are that the petitioner is a



lady, who has been languishing in jail since 12.05.2022 and her trial has started and two prosecution witnesses have been examined and she has no criminal antecedent and in the FIR, the informant simply raised suspicion against her.

Learned APP appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly the facts that two similarly situated co-accused persons named-above are on bail and the petitioner's trial has started and the informant is not stated to be the eye-witness of the alleged occurrence and he simply raised suspicion against the petitioner in the FIR and also taking into account the custody period of the petitioner, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in connection with Session Case No. 12/2023 arising out of Jagdishpur P.S. Case No. 413 of 2021.

(Shailendra Singh, J)

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