

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49736 of 2023

Arising Out of PS. Case No.-272 Year-2022 Thana- haveANPUR District- Samastipur

Meera Devi W/O Late Bipat Das R/O Village- Sakarpura, P.S- haveanpur,
Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50830 of 2023

Arising Out of PS. Case No.-272 Year-2022 Thana- haveANPUR District- Samastipur

Vikram Das Son of Punit Das @ Punit Chaupal Resident of village -
Sakarpura, P.S. - haveanpura, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 49736 of 2023)

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

(In CRIMINAL MISCELLANEOUS No. 50830 of 2023)

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

Mr. Stheirhir Kumar Stheirhir, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since
07.12.2022 in connection with S.T No. 333 of 2023 arising out
of Hasanpur P.S. Case No. 272 of 2022, F.I.R. dated 06.12.2022
for the offences punishable under Sections 302, 120B/34 of the
Indian Penal Code.



3. According to prosecution case, petitioner, namely, Bikram Das under the conspiracy with the petitioner, namely, Meera Devi murdered the son of the informant who happens to be the husband of the petitioner, Meera Devi.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the basis of suspicion. He further submits that the informant is not the eye witness of the alleged occurrence and the petitioner, namely, Meera Devi is the wife of the deceased and there is no acquisition of any assault or overt act attributed against these petitioners. He further submits that except the suspicion, no other material has come during investigation to suggest the involvement of the petitioners in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 07.12.2022.

5. The learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the



learned Additional Sessions Judge 1, Rosera, Sasmasipur in connection with S.T No. 333 of 2023 arising out of Hasanpur P.S. Case No. 272 of 2022, subject to the following conditions:-

i. 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 bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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