

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52761 of 2023

Arising Out of PS. Case No.-182 Year-2023 Thana- RAJAPAKAR District- Vaishali

VEENA DEVI W/o Santsoh Kumar R/o Village-Banghara @ Rajakapar
Banghara, P.S.-Rajapakar, Dist.-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is an accused in connection with Rajapakar P.S. Case No. 182 of 2023 registered for the offences under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 26.05.2023 by the informant, Baidhnath Singh.

As per the prosecution story, the allegation is that upon information that the informant's daughter is being assaulted by brother-in-law, Santosh Kumar and his wife Veena Devi, an application was given to the Police Station. The further allegation is that when his son, Raju Kumar Ranjan who was coming to Hajipur by motorcycle with milk, the named accused persons armed variously surrounded him, abused and then allegation is against Santosh Kumar of opening fire which



ultimately proved fatal, as his son died in the Sadar Hospital, Hajipur. Accordingly, the FIR.

Learned Counsel for the petitioner submits that the petitioner is a lady, has been dragged in the case only because she happens to be the wife of the main assailant, Santosh Kumar, has remained in custody since 07.06.2023 (as stated in paragraph 17 of the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail stating that only because the informant's son wanted to settle the issues between the family, he was killed.

Considering the submissions put forward by the learned Counsel for the petitioner, the petitioner is a lady, specific allegation is against Santosh Kumar, she is in custody since 07.06.2023, as stated above, this Court is inclined to extend her privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.C.J.M. IX, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 182 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show her



bona fide;

(ii) the petitioner 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 her bail bond by the Trial court itself;

(iii) the petitioner 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 her bail bonds;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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