

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53573 of 2022

Arising Out of PS. Case No.-355 Year-2020 Thana- TAJPUR District- Samastipur

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KHUSHBOO KUMARI @ KHUSHBOO JHA Wife of Late Ranjit Kumar
Mishra Resident of Village - Mujauna Chandauli, P.S. - Waini O.P. Tajpur,
District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2023 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.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 302/34 of IPC.

The informant alleges that on 09.09.2020,
his brother (deceased) had gone to his matrimonial home
(sasural) and while going to matrimonial home, the brother of
the informant had informed him that his brother-in-law would
be returning Rs. One Lakh, which he had taken as loan for the
marriage of his younger sister and would also bring his wife



back.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case. He further submits that the informant is not the eye witness of the alleged occurrence and only on the basis of the suspicion, the name of the petitioner has falsely been implicated in the case. Further submits that except the suspicion, no other cogent material has come during investigation against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 13.01.2022.

Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid fact and period of custody, 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 learned court below where the case is pending in connection with Tajpur P.S. Case No.355 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her 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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