

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54375 of 2022

Arising Out of PS. Case No.-461 Year-2021 Thana- CHAPRA TOWN District- Saran

SANGITA DEVI Wife of Santosh Kumar Gupta Resident of Mohalla - Sabji
Mandi (Bora Mandi) Yusufpur, P.S.- Mohammadabad, District - Ghazipur
(U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 56014 of 2022

Arising Out of PS. Case No.-461 Year-2021 Thana- CHAPRA TOWN District- Saran

ANITA DEVI Wife of Ram Babu Sah Resident of Village - Pani Tanki
Hospital Road, P.S. - Hajipur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 56197 of 2022

Arising Out of PS. Case No.-461 Year-2021 Thana- CHAPRA TOWN District- Saran

RAVI RANJAN KUMAR @ PINTU S/o Ram Babu Sah Resident of village-
Pani Tanki Hospital Road, P.S.- Hajipur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 54375 of 2022)

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 56014 of 2022)

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

(In CRIMINAL MISCELLANEOUS No. 56197 of 2022)

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP



CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 06-04-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Petitioners seek bail, who are in custody since 30.07.2022, 28.07.2022 and 20.07.2022 respectively, in connection with Chhapra Town P.S. Case No. 461/2021, F.I.R. dated 25.08.2021 registered for the offences punishable under Sections 302/34 of the I.P.C.

According to prosecution case, there is allegation against the petitioners that they assaulted the wife of the informant by means of fists and legs causing injury to her and later on she died on way to hospital.

Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that in fact the petitioners are the family members of the informant. The petitioner no.1 and petitioner no.2 are sisters-in-law of the deceased and sisters of the informant and the petitioner no.3 is nephew of the informant. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including these petitioners. He



further submits that there is no specific allegation against these petitioners. He further submits that the police after investigation submitted the charge sheet against the petitioners and on 27.03.2023 charge has also been framed against the petitioners. The petitioner no.1 is in custody since 30.07.2022, the petitioner no.2 is in custody since 28.07.2022 and the petitioner no.3 is in custody since 20.07.2022.

The learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer of bail of the petitioners and submits that there is direct allegation against these petitioners in the present occurrence.

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 Chief Judicial Magistrate, Saran at Chapra, in connection with Chhapra Town P.S. Case No. 461/2021, subject to the following conditions:-

1. 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.

2. 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.

3. 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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