

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 56907 of 2023**

Arising Out of PS. Case No.-151 Year-2023 Thana- PARASBIGHA District- Jehanabad

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RUNI DEVI W/O - DHARAM PAL MAHTO R/O VILLAGE - AMAIN, P.S.
- PARASBIGHA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr Rajiv Nayan, APP

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CORAM: HONOURABLE MR JUSTICE RAJIV ROY

ORAL ORDER

2 30-08-2023

Heard the parties.

2 The petitioner is in judicial custody in connection with Parasbigha PS Case No 151 of 2023 registered for the offence punishable under Sections 302, 307, 323, 341, 120B, 504, 506/34 of Indian Penal Code and Section 27 of Arms Act.

3 As per the prosecution story, when the informant was returning from his field and reached near the house of Dharamveer Mahto, the FIR named accused persons surrounded him and further allegation is that Dharamveer Mahto opened fire hitting the chest of the son of the informant and when his nephew came to save the son of the informant, another bullet was fired which hit on the stomach of the nephew of the informant. They were taken to Sadar Hospital, Jehanabad where



the son of the informant was declared dead. Accordingly, the FIR.

4 Learned counsel for the petitioner submits that specific allegation is against co-accused Dharamveer Mahto of opening fire and causing death of the son of the informant. There is another Dharampal Mahto who had assaulted on the head of the informant with iron rod. Omnibus allegation is against this petitioner who is lady.

5 Learned APP opposes the prayer for bail. It is submitted that the petitioner was part of the mob killing innocent person.

6 Considering the submission put forward by the learned counsel for the petitioner as also the fact that petitioner is a lady, no specific allegation, no criminal antecedent, custody since 05.06.2023, this Court is inclined to extend her the privilege of bail with conditions.

7 Let the petitioner above named be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad in Parasbigha PS Case No 151 of 2023 subject to the following conditions:

(i) One of the bailors should be the family member of the petitioner who shall



provide official document to show his 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 bonds by the trial Court itself;

(iii) The petitioner shall appear before the concerned police station every fortnight for next six months to mark her attendance;

(iv) 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;

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

8 With the aforesaid observations, this application is
allowed.

(Rajiv Roy, J)

M.E.H./-

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