

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 64640 of 2023

Arising Out of PS. Case No.-149 Year-2023 Thana- SIDHWALIYA District- Gopalganj

1. SHANTI DEVI @ SHANITI DEVI WIFE OF LAL MOHAR SAHNI
RESIDENT OF VILLAGE- SADAUA, PS- SIDHWAILIA, DIST-
GOPALGANJ, BIHAR
2. RUBI DEVI WIFE OF KISHORE SAHNI RESIDENT OF VILLAGE-
SADAUA, PS- SIDHWAILIA, DIST- GOPALGANJ, BIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Sidhwalia P.S. Case No. 149 of 2023 registered on 10.05.2023
lodged under Sections 341, 323, 324, 325, 447, 504, 506, 34,
307, 302 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against 13 named accused persons including the petitioners.

4. Counsel for the petitioners submits that the
petitioners are female and it is true that their names are in the
F.I.R., but there is no specific allegations of act and overt-act
against them.



5. Counsel further submits that petitioners are innocent and have committed no offence. He further submits that petitioners have clean antecedent and are in custody since 16.05.2023. Counsel submits that informant and petitioners are residents of the same village and there are case and counter case for the same date and place of occurrence. The present Sidhwalia P.S. Case No. 149 of 2023 has been lodged by the informant whereas from the petitioner's side Sidhwalia P.S. Case No. 150 of 2023 has been lodged.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Sidhwalia P.S. Case No. 149 of 2023, subject to conditions laid down under Section 437(3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;



(ii) the petitioners 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 his bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners 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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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