

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66375 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- BALIGAON District- Vaishali

SITA DEVI W/O MUNNA RAI @ MUNNA KUMAR Resident of Village-
Malpur (Tola Mahiya), P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Baligaon P.S. Case No. 65 of 2022 dated 21.06.2022
registered for the offence under Sections 302 and 120(B) of
the Indian Penal Code.

The petitioner along with others are alleged to
have assaulted the son of the informant by lathi, danda, iron
rod and dagger as a result of which her son died and his
dead body was found in the field of one Raj Kumar Rai.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case merely



on the basis of suspicion. He further submits that the petitioner, who is a lady, has not played any role in the alleged occurrence but she has been made accused in this case due to previous enmity. Save and except the suspicion, no cogent material has surfaced in this case during course of investigation against the petitioner suggesting her involvement in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 24.06.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 A.C.J.M.-II, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 65 of 2022 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 canceled 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.

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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