

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66803 of 2022

Arising Out of PS. Case No.-135 Year-2020 Thana- HARSIDHI District- East Champaran

1. Nisha Singh @ Nisha Devi Wife of Ritesh Rai Resident of village - Harsidhi Pakriya, P.S.- Harsidhi, District - East Champaran.
2. Puja Singh Wife of Rupesh Rai Resident of village - Harsidhi Pakriya, P.S.- Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302, 201, 120-B/34 of the Indian Penal Code.

According to prosecution case, in brief, is that it is a case of triple murder in which suspicion has been raised against this petitioner and other co-acused persons who are agnates of the deceased on the ground that they were having litigation and pressuring the deceased to compound the case lodged against Manoj Singh.

Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case due to land dispute. He further submits that the informant and petitioners are Gotias and 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 the petitioners are the daughter-in-laws of the co-accused Vashist Rai and the informant is not the eye witness of the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against these petitioners. He further submits that similarly situated, co-accused, namely, Vashist Rai @ Vaistha Rai has been granted bail by a co-ordinate Bench of this Court vide order dated 11.04.2022 passed in Cr. Misc. No. 8682 of 2022, another co-accused namely, Ritesh Kumar @ Ritesh Rai has been granted bail by a Coordinate Bench of this Court vide order dated 25.02.2022 passed in Cr. Misc. No. 65588 of 2021, another co-accused namely, Saroj Singh @ Saroj Rai has been granted bail by a Coordinate Bench of this Court vide order dated 01.02.2022 passed in Cr. Misc. No. 51284 of 2021, another co-accused namely, Rupesh Rai has been granted bail by a Coordinate Bench of this Court vide order dated 17.01.2022 passed in Cr. Misc. No. 37867 of 2021 and Ashok



Kumar Pandey and Renu Devi have been granted bail by a Coordinate Bench of this Court vide orders dated 24.01.2022 and 31.05.2021 passed in Cr. Misc. No. 468 of 2021 and Cr. Misc. NO. 37712 of 2020. The petitioners are in custody since 14.09.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

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 Court below where the case is pending in connection with Harsidhi P.S. Case No. 135 of 2020, 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)

mdrashid/-

U		T	
---	--	---	--

