

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76008 of 2023**

Arising Out of PS. Case No.-20 Year-2018 Thana- SUIYA District- Banka

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1. BELI DEVI @ MALTO DEVI W/O SHASHIKANT PANDEY R/O VILLAGE- DARHA, PS. BELHAR, DIST. BANKA
  2. ROUSHAN PANDEY @ ROUSHAN KUMAR S/O SHASHIKANT PANDEY R/O VILLAGE- DARHA, PS. BELHAR, DIST. BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      29-11-2023                      Heard Mr. Praveen Kumar, learned counsel for the petitioners and Mr. Narendra Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest connection with Suiya P.S. Case No. 20 of 2018, F.I.R. dated 09.04.2018 registered for the offences punishable under Sections 302, 34, 201 of the Indian Penal Code.

3. The case of the prosecution, in brief, is that the Chaukidar Surendra Thakur was on visit of his village and when he reached Sultanganj-Deoghar main road near puliya then he saw that there was crowd and when he reached near then saw that a dead body of unknown lady was lying there and blood was oozing out of her nose. Thereafter, he gave information to



Suiya police station S.H.O. about the murder of a lady.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and they have not committed any offence as alleged in the F.I.R. and there is no eye witness of the alleged occurrence and the husband of the deceased who is son and brother of the petitioners have been acquitted by the learned Court below in Sessions Trial No. 251 of 2018 corresponding to Trial No. 178 of 2019 vide judgment dated 16.05.2019.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Banka in connection with Suiya P.S. Case No. 20 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with



other 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 antecedents, 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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