

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73441 of 2022

Arising Out of PS. Case No.-231 Year-2021 Thana- RAJPUR District- Buxar

SONI DEVI Wife of Sudama Singh Resident of Village- Devkhaira, P.S.-
Kochas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 73541 of 2022

Arising Out of PS. Case No.-231 Year-2021 Thana- RAJPUR District- Buxar

MAHESH SINGH Son of Sudama Singh Resident of Village - Devkhaira,
P.S.- Kochas, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 73441 of 2022)

For the Petitioner/s : Mrs. Soni Srivastava
Dr. Harendra Kumar Singh, Advocates

For the Opposite Party/s : Mr. Anand Kishore Choudhary

(In CRIMINAL MISCELLANEOUS No. 73541 of 2022)

For the Petitioner/s : Mrs. Soni Srivastava
Dr. Harendra Kumar Singh, Advocates

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail, who are in custody since
23.06.2022, in connection with Rajpur P.S. Case No. 231 of
2021, Corresponding to Sessions Trial No. 414 of 2022, F.I.R.
dated 29.10.2021 registered for the offences punishable under



Sections 120B, 302 and 201 of the Indian Penal Code.

Allegation against the petitioners is that they along with other co-accused persons committed murder of Priyanka Devi and threw her dead in Dharmavati river and no information regarding her death was given to the family of her Naihar. It is further alleged that during her pregnancy Priyanka Devi died and her cremation was done in her Sasural.

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 the petitioners have not committed any offence as alleged in the F.I.R. and it has come during investigation that the victim was pregnant and she was living in her Mausea-Mausi place. He further submits that the informant is not an eye witness of the alleged occurrence and no injury was found on the body of the deceased and even though the husband of the petitioner namely Mahesh Singh was not present and he was present at Daman and Diu at the time of occurrence whereas petitioner no. 1 namely Soni Devi is mother-in-law and the mother and Mausea-Mausi of the deceased had not alleged anything about the petitioners. He further submits that the police after investigation submitted



chargesheet against the petitioners and the petitioners are in custody since 23.06.2022.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, 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 Additional District Judge-4, Buxar in connection with Sessions Trial No. 414 of 2022 arising out of Rajpur P.S. Case No. 231 of 2021, with 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 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 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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