

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73725 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- MORKAHI District- Khagaria

ANITA DEVI Wife of Pappu Tanti Resident of Village - Lavgharia - Rasaunk,
P.S.- Morkahi, District - Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
30.06.2022 in connection with Morkahi P.S. Case No.65/2022,
G.R. No. 1745/2022, F.I.R. dated 29.06.2022, for the offences
punishable under Sections 302, 201, 34 of the Indian Penal
Code and Section 27 of the Arms Act.

According to prosecution case, the petitioner is alleged
to have committed the murder of the deceased, namely, Pappu
Tanti.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has falsely been
implicated in the present case merely on the basis of suspicion
and disclosure made by the local chowkidar. He further submits
that in fact, the petitioner is the wife of the deceased and it



appears from the F.I.R. that there is no eyewitness of the alleged occurrence and only on the basis of suspicion, the name of the petitioner has falsely been implicated in the present case. He further submits that during investigation, the petitioner has confessed that she has committed the crime in question but the prosecution has not recovered any arms from her possession or from the house of the petitioner. He further submits that except the confessional statement of the petitioner, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 30.06.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned S.D.J.M., Khagaria in connection with Morkahi P.S. Case No.65/2022, G.R. No. 1745/2022, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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