

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.521 of 2023

Arising Out of PS. Case No.-953 Year-2022 Thana- DANAPUR District- Patna

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MALTI DEVI WIFE OF BAIJNATH RAI R/O VILL.- MUBARAKPUR,
P.S.- SHAHPUR, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Danapur P.S. Case No. 953 of 2022 dated 07.09.2022

registered for the offence under Sections 457 and 380 of the

Indian Penal Code.

The case relates to theft in the rented house of the

informant from which certain household articles including

the ornaments have been stolen.

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. He

further submits that the petitioner has not been named in



the F.I.R., however, her name transpired in this case on the basis of confessional statement of the co-accused, Rahul Kumar, who happens to be son of the informant. He further submits that the petitionr has no concern with the alleged occurrence. As a matter of fact, since the petitionr happens to be mother of the co-accused, Rahul Kumar, she has been made accused in the case on the basis of suspicion only. 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 11.09.2022.

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.- 1st , Danapur in connection with Danapur P.S. Case No. 953 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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