

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10995 of 2024

In
CRIMINAL MISCELLANEOUS No.66446 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- SULTANGANJ District- Patna

Manju Devi W/o Suresh Mahto R/o Mohalla - Tikiyatoli Chaitola, P.S. -
Sultanganj, Distt. - patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 10260 of 2024

Arising Out of PS. Case No.-40 Year-2022 Thana- SULTANGANJ District- Patna

KIRAN DEVI W/o Anil Mahto Resident of Mohalla-Shivpur Tikiya Toli,
Chai Tola, P.S.-Sultanganj, Dist.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 10995 of 2024)
For the Petitioner/s : Mr.Ajay Mishra, Adv.
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP
(In CRIMINAL MISCELLANEOUS No. 10260 of 2024)
For the Petitioner/s : Mr.Amir Alam, Adv.
For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 301-03-2024
1. As both the bail petitions have arisen out of the same P.S. case, hence they are being taken up and decided together.

2. Heard the parties.

3. Petitioners seek regular bail in connection with



Sultanganj P.S. Case No. 40/ 2022 dated 08.02.2022 registered for the offence(s) punishable under Section(s) 341, 323, 302, 338 read with section 34 of the Indian Penal Code.

4. The main submissions advanced by Mr. Ajay Mishra, learned counsel for the petitioner Manju Devi, are that this is second attempt of the petitioner for the relief of regular bail after the petitioner's earlier attempt for the same relief was rejected by this court vide order dated 17.04.2023 passed in Cr. Misc. No. 66446/ 2022 with Cr. Misc. No. 70742 of 2022 preferred by this petitioner with giving a liberty to renew her bail prayer after six months from the date of that order, if any significant progress is not made in her trial and thereafter, period of six months has lapsed and there is no significant progress in the trial of the petitioner. Further submissions are that petitioner has got no criminal antecedent and she has been languishing in jail since 08.03.2022 and as per allegation, she simply caught hold hands and legs of the victim when she was being assaulted by other accused persons.

5. Mr. Amir Alam, learned counsel for the petitioner Kiran Devi, adopts the above submission and submits that petitioner is a lady and she has been languishing in jail since 14.02.2022.



6. Learned APP appearing for the State opposes the bail prayer.

7. Heard both sides. Though, there is serious allegation against the petitioners but considering their custody period and the fact that trial of the petitioners has started and charges have been framed upon them on 11.04.2023 but till date, no prosecution witness has been produced and examined which shows the lingering attitude of the prosecution in the trial of the petitioners, this court is now inclined to accept their bail prayer. Accordingly, let the petitioners named-above be released on bail in connection with Sultanganj P.S. Case No. 40 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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