

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19495 of 2024

Arising Out of PS. Case No.-308 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Simaran Devi @ Simran Kumari Devi Wife of Late Santosh Das, D/O Shamprabhu Das @ Shambhu Das Resident of Village- Ajayabganj, P.S.- Bhagwan Bazar, Distt.-Saran. Presently residing at Village-Katalpur, P.S.- Baikunthpur, Distt.-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankur Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-03-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 126 of 2023 arising out of Bhagwan Bazar P.S. Case No. 308 of 2022, dated 15.06.2022 registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner had moved this Court earlier seeking regular bail by filing Cr. Misc. No. 70566 of 2022 and the same was permitted to be withdrawn by an order dated 29.04.2023 with a liberty to the petitioner to renew his prayer for bail after framing of charge.

4. Learned counsel for the petitioner further submits



that the present application has been filed in terms of the liberty granted to the petitioner by order dated 29.04.2023 in Cr. Misc. No. 70566 of 2022. It is next submitted that no doubt liberty was granted to the petitioner to renew his prayer for bail after framing of charge but then the charges were framed against the petitioner on 20.03.2023 itself i.e. prior to the date when Cr. Misc. No. 70566 of 2022 was adjudicated but inadvertently the said fact could not be brought to the notice of the Court in absence of instruction. It is also submitted that the trial has commenced and out of five witnesses, two have been examined and petitioner is a woman and she has been implicated in the instant case by the informant based on suspicion that since she was having an affair with another person as such she might have been responsible along with her lover and father in killing the deceased who was his brother. It is submitted that the entire allegation hinges around suspicion. It is further submitted that petitioner will cooperate in the trial.

5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

6. Considering the aforesaid submissions, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 126 of 2023 arising out of Bhagwan Bazar P.S. Case No. 308 of 2022.

7. However, it is made clear that if the learned trial court comes to a conclusion that petitioner after obtaining bail is trying to delay the trial in any manner, the learned trial court shall forthwith cancel the bail bonds of the petitioner after recording reasons and shall ensure that all coercive steps is taken against the petitioner to put her behind bars.

(Satyavrat Verma, J)

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