

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22144 of 2024

Arising Out of PS. Case No.-486 Year-2022 Thana- AMARPUR District- Banka

Rani Devi W/O Late Bhuneshwar Rai @ Late Arjun Rai R/O Village-
Bhaluwa, P.S- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-03-2024 Heard Mr. Ajay Mukherjee, learned counsel for the
petitioner and Mr. Abhay Kumar Roy, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
28.11.2023, in connection with Amarpur P.S. Case No. 486 of
2022, F.I.R. dated 03.09.2022 registered for the offences
punishable under Sections 341, 323, 325, 307, 302/34 of the
Indian Penal Code.

3. Allegation against the petitioner is of committing
murder of informant's husband by assaulting by means of lathi
and rod.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has 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



petitioner has not committed any offence as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that similarly situated co-accused persons namely Subhash Rai and Gita Devi have been granted bail by this Court vide order dated 02.05.2023 passed in Cr. Misc. No. 6447 of 2023 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 28.11.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, 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 Chief Judicial Magistrate, Banka/Successor Court, Banka in connection with Amarpur P.S. Case No. 486 of 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed her 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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