

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29839 of 2024

Arising Out of PS. Case No.-118 Year-2021 Thana- BALIYA District- Begusarai

Lalita Devi @nathiya Wali Wife of Dinesh Chaudhari Resident of Village-
Katahri, Ps- Dandari, , Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Ms. Vaishnavi Singh, Advocate
	:	Mr. Ritwik Thakur, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-08-2024 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner as well as Mr. Aditya Narayan Singh-1, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Baliya P.S. Case No. 118 of 2021, F.I.R. dated
06.05.2021 for the offences punishable under Section 365 of the
Indian Penal Code, to which subsequently Sections 302, 120B,
201/34 of the IPC were also added vide order dated 13.03.2022

3. According to prosecution case, on 05.05.2021 the
informant's brother along with two other persons who reserved
his tempo went to Sahebpur Kamal and after that he did not
returned. It is further alleged that the dead body of the
informant's brother was found near NH31 and he suspects that



some unknown persons have murdered his brother.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case merely on the basis of suspicion. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner is transpired during the investigation on the basis of the secret information. He further submits that except the aforesaid, no other cogent material has come during the investigation which suggest the involvement of the petitioner in the present occurrence.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and nothing has come during the investigation except the suspicion which suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Begusarai in connection with Baliya P.S.



Case No. 118 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

- i. 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.
- ii. 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.
- iii. 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 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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