

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33267 of 2024

Arising Out of PS. Case No.-586 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

Sangeeta Devi @ Sangita Devi Wife Of Satyendra Ram Resident Of Village-
Dayal Bigha, Police Station Sasaram Muffasil, District Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Ashwani Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 26-07-2024 Heard the learned Advocate for the petitioner, learned
Advocate for the informant and the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Sasaram (M) P.S. Case No. 586 of 2023, registered for the offence punishable under Section 365/34 of the Indian Penal Code and later on Sections 302, 201, 120(B) of the Indian Penal Code was added.

3. Based upon the written report, the prosecution alleges that the son of the informant used to talk with the daughter of co-accused *Satyendra Ram*. On 30.10.2023, the daughter of co-accused *Satyendra Ram* called the son of the informant in her house, where he was beaten by all the accused persons and some unknown persons. Thereafter, all of them sat



together and settled the dispute. On the next evening of 31.10.2023, the son of the informant went on a motorcycle, however, he did not return. When the wife of the informant made a call on the mobile phone number of his son, it was answered by this petitioner, however, on account of commotion she could not hear. It is suspected that the son of the informant either kept hostage or killed by the accused persons.

4. Learned Advocate for the petitioner referring to the FIR firstly contended that from the narratives made in the FIR, it is evident that the deceased and the daughter of the co-accused person had talking terms, which was opposed by family members. Thereafter, the deceased was beaten and the matter was compromised. The informant is not an eyewitness to the alleged occurrence and during the course of investigation, when the matter was supervised, it has come that the deceased has left his house along with two other persons, whose statements have never been recorded by the Investigating Officer. It is next contended that admittedly, the deceased went missing on 31.10.2023, but the FIR has been instituted on 02.11.2023, that too on mere suspicion. The petitioner is a lady, having fair antecedent, has been incarcerated since 19.12.2023. Moreover, the investigation of the crime is complete and the charge-sheet



has been submitted.

5. On the other hand, learned APP for the State as well as the informant vehemently opposes the bail application and submits that when the call was made to the deceased son of the informant, it is the petitioner who had answered and, *prima facie*, the involvement of the petitioner cannot be ruled out. The motive of killing the deceased is also evident from the FIR.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of delay and the entire case based on suspicion, coupled with the fact that the informant is not an eyewitness to the alleged occurrence and the petitioner is a lady, having fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 586 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will remain present on each and every date of



trial till disposal of the case.

(iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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