

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39861 of 2024

Arising Out of PS. Case No.-410 Year-2023 Thana- HILSA District- Nalanda

Munni Devi Wife Of Late Pankaj Prasad Resident Of Village - Kapsiyava,
P.S. - Hilsa, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Mr. Brajesh Prasad Gupta, learned counsel for
the petitioner and Mr. Madhura Nand Jha, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
29.06.2023 in connection with Session Trial No. 819 of 2023
arising out Hilsa P.S. Case No.410 of 2023, F.I.R. dated
27.06.2023 registered for the offence punishable under Sections
341, 342, 323, 325, 302/34 of Indian Penal Code.

3. Allegation against the petitioner is that she along
with her son started to abuse and assault the deceased. On
27.06.2023 at about 8:00 am when the informant was at his
home, he heard some crying sound and came to know that his
son Pankaj Kumar has succumbed to death.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and she has falsely been implicated in the present case. Petitioner is wife of the deceased and from a bare perusal of the FIR it appears that the informant is not the eye witness of the occurrence. Informant is father-in-law of the petitioner and from a bare perusal of the FIR it appears that there is general and omnibus allegation against the accused persons including the petitioner and no one has seen the occurrence and due to previous enmity between the father-in-law and the petitioner, the present false case has been lodged against the petitioner and the police, after investigation, submitted charge-sheet against the petitioner and the petitioner is in custody since 29.06.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, let the petitioner, above named, 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 learned Additional Sessions Judge-IVth, Hilsa at Nalanda in connection with Session Trial No. 819 of 2023 arising out Hilsa P.S. Case No.410 of 2023, with the 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 his/her absence on two consecutive dates without sufficient reason, his/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 his 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)

Nitesh/-Harshita

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