

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51432 of 2024

Arising Out of PS. Case No.-393 Year-2023 Thana- KAHALGAON District- Bhagalpur

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SANJU DEVI W/O- TARANAND TANTI VILLAGE- MIRJAGAON, P.S.-
ISHIPUR, DISTT.- BHAGALPUR (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 20-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Kahalgaon (Ghogh) P.S.
Case no. 393 of 2023 registered under sections 302, 201 and 34
of the Indian Penal Code.

3. As per the prosecution case, the informant states
that his younger brother Sanoj Kumar who used to work in a
brick kiln was murdered by unknown accused persons and
information with respect to the same was given to him on
mobile phone. It is stated that someone had injured him brutally
with a sharp edged weapon.

4. Learned counsel for the petitioner submits that the
F.I.R was registered against unknown. The petitioner was falsely



implicated in the case in course of investigation when it was allegedly stated by a spy that the deceased was in a relationship with this petitioner. It was on this petitioner's calling that the co-accused Sravan Kumar and Sravan Kumar Mandal along with the petitioner and others killed him. It is further submitted that besides the statement of co-accused made before police, there is no material against her. The petitioner is in custody since 5.4.2023 and trial already having started, there is no chance of the petitioner tampering with the evidence. As per instructions received, three witnesses have been examined and they have not supported the prosecution case against this petitioner. The petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for her release on bail.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the material that has transpired in course of investigation, the trial having commenced in the learned trial Court and the petitioner having remained in custody for 1 year and 5 months since 5.4.203, the petitioner is directed to be enlarged on bail in



connection with Kahalgaon (Ghogh) P.S. Case no. 393 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-X, Bhagalpur on the following conditions :-

(1) One of the bailors of the petitioner shall be a close relative of the petitioner.

(2) The petitioner shall remain physically present in court on each date of the trial and shall cooperate in the trial.

(3) In case the petitioner is absent on any single date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take her into custody till conclusion of the trial.

(Partha Sarthy, J)

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