

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 49528 of 2024

Arising Out of PS. Case No.-300 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

Ajanti Devi, Wife of Late Jitendra Bhagat, Resident of village - Dighi Kala
East, P.S.- Hazipur Sadar, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-10-2024 Heard Mr. Anil Kumar, learned counsel appearing on
behalf of the petitioner and Mr. Damodar Prasad Tiwary,
learned APP appearing on behalf of the State.

2. The petitioner has earlier moved before this Court
for anticipatory bail vide Cr. Misc. No.33973 of 2020, which
was dismissed as withdrawn vide order dated 23.03.2021.

3. Petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 300 of 2020 registered for offences
punishable under Sections 302, 364, 201, 420, 406 and 120(b)
of the Indian Penal Code.

4. As per the allegation made in the FIR, the accused
persons named in the F.I.R. took money from the father of
informant and others, for providing job in Railways and when
the father of the informant and one Rajkumar Singh asked the



accused persons to refund their money, the accused persons hatched conspiracy to grab their money and committed murder of the father of the informant and one Rajkumar Singh.

5. Learned counsel appearing on behalf of the petitioner submits that the petitioner has got no criminal antecedent and there is no specific allegation against her that she had ever demanded any money from anyone. She is neither connected with the persons, who are involved in providing job nor she is member of the job racket. In course of investigation, the I.O. has not been able to collect material to connect the petitioner to have committed the crime. Petitioner is a co-villager and due to enmity, she has been made accused in the present case. Similarly situated other co-accused have already been released on bail and even one Avinash Singh @ Avinash Kumar Singh @ Alok Singh @ Langra, against whom there is specific allegation that he had taken Rs.60,00,000/- to provide railway job, has already been released on anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.08.2022 passed in Cr. Misc. No. 13968 of 2022. Petitioner is nowhere connected with said Avinash Singh or with other co-accused persons, for committing murder of the father of the informant and one Rajkumar Singh. Petitioner is in custody since



03.04.2024.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having considered the rival submissions of the parties and the taking into account the fact that the petitioner has been made accused in the present case merely on the basis of suspicion, the allegation of grabbing the money is against co-accused Avinash Singh, who has already been released on anticipatory bail by a co-ordinate Bench of this Court and other similarly situated co-accused have also been released on bail and the petitioner has remained in custody since 03.04.2024, who is an old lady, aged about 65 years, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Class Judicial Magistrate/concerned Court, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 300 of 2020, subject to the following conditions:-

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after her release on bail, the trial Court shall take steps to cancel her bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

Chn/-
Ashishsingh/-

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