

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56390 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- DELHA District- Gaya

Sukanya Devi W/o Dharmendra Manjhi R/o Mohalla - Kharkhura, P.S. -
Delha, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-08-2024 Heard learned Advocate for the petitioner and the
learned APP for the State.

2. The application for grant of regular bail to the petitioner, who is in custody in connection with Delha P.S. Case No.19 of 2024 registered for the offence punishable under Sections 641, 323, 307, 504/34 of the Indian Penal Code.

3. Based upon the written report the prosecution alleges that on the alleged date of occurrence while the accused persons were quarreling among themselves in inebriated condition and when the informant reached there and tried to pacify them, all the accused persons including the petitioner brutally assaulted the informant and his son due to which they sustained injuries.

4. Learned Advocate for the petitioner contended that



from the narratives made in the FIR, it is evident that there is no specific allegation of any overt act against the petitioner. The allegation of causing assault by means of iron rod have been levelled against the co-accused Dharmendra Manjhi and his son Suraj Kumar. The petitioner is a lady having fair antecedent and she has been incarcerated since 17.05.2024. The investigation of the crime is complete.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner has actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the factum of injury being simple in nature coupled with the fact that the petitioner is a lady having fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1st, Gaya in connection with Delha P.S. Case No.19 of 2024, 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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