

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54624 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- PANAPUR District- Saran

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Anita Devi W/O Budhu Rai Resident of Village-Dhenuki, P.S.-Panapur, Distt-Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Adv.

For the Opposite Party/s : Mr.Dinesh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State as also perused the case diary.

2. The petitioner seeks bail in connection with Panapur
P.S. Case No. 36 of 2023 instituted for the offences under
Sections 302, 201, 34 of the Indian Penal Code.

3. As per prosecution case, on secret information, the
Informant reached the place of occurrence and saw a dead-body
of a woman aged about 20-30 years lying in the canal and
unsuccessful attempt was made to bury her body with an
intention to hide the evidence. It is further alleged that when the
dead-body was taken out of the soil, the same was mutilated and
could not be identified.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against her and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and her name has surfaced in this in course of investigation. The petitioner herself has confessed the guilt in her confessional statement. Charge-sheet has been submitted in this case. The petitioner is in custody since 10.04.2023. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. Learned counsel for the petitioner again submits that the co-accused Kalawati Devi and Kameshwar Rai have been granted bail by a Co-ordinate Bench of this Court vide order dated 10.11.2023 passed in Cr. Misc. No. 51016 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that the accusation made against the petitioner is serious in nature. Several witnesses have supported the case of the prosecution. In para-33 of the case diary, there is a statement of husband of the deceased who has stated about the involvement of the petitioner in the present case. In para-43, there is also a confessional statement of the petitioner herself in which she has admitted the offence.



6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Panapur P.S. Case No. 36 of 2023, subject to following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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