

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69703 of 2023

Arising Out of PS. Case No.-213 Year-2022 Thana- CHAKIA District- East Champaran

1. Shayara Khatoon W/O Late Jalaluddin Mansuri Resident Of Basudevpur Chowk Brit, Ward No. 8, Jhulania Chowk, Ps. Sahebganj, Dist. Muzaffarpur
2. Neha Khatoon D/O Late Jalaluddin Mansuri Resident Of Basudevpur Chowk Brit, Ward No. 8, Jhulania Chowk, Ps. Sahebganj, Dist. Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Kalim, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

5 10-04-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are in custody in connection with Chakiya P.S Case No. 213 of 2022 registered for the offences punishable under Sections 395 of the Indian Penal Code.

3. As per prosecution case, six miscreants committed dacoity in the shop of informant and taken away 7 Kg gold and 50 Kg silver. It is further alleged that they have inflicted fire arm injury to him as well as his brother.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. It is



further submitted that no recovery from the possession of the petitioners. Petitioners are not named in the FIR. It is next submitted that similarly situated co-accused have already granted bail by this Court *vide* orders dated 09.10.2023, 12.07.2023 and 25.05.2023 passed in Cr. Misc. Nos. 47078 of 2023, 38191 of 2023 and 27196 of 2023 respectively. It is also submitted that both the petitioners are lady and are in judicial custody since 09.12.2022.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioners, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M East Champaran at Motihari in connection with Chakiya P.S Case No. 213 of 2022 subject to following conditions:

(i) one of the bailors should be the family member of the petitioners who shall provide official document to



show her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ramesh Chand Malviya, J)

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