

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79186 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- BHAIKAVSHTHAN District- Madhubani

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Veena Devi W/o Bindeshwar Paswan R/o Village- Goth Narahiya, P.S.-
Laukahi Narahiya O.P., District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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

ORAL ORDER

4 06-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhairavsthan P.S. Case No. 78 of 2024 (G.R. No. 1210 of 2024)
instituted for the offences under Sections 3(v)/303/317 of the
B.N.S. Act, 2023.

3. As per prosecution case, accusation against the
accused persons including the petitioner is of committing theft
of jewelry at the *Bindeshwar* temple. It is alleged that the co-
accused Lila Devi was caught by the devotees and one
Hanumani Locket along with cash of Rs. 1100/- was recovered
from her possession. The petitioner was not caught on the spot.

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 was not caught on the spot and her name has surfaced in this case on the basis of the confessional statement of the co-accused Lila Devi. He further submits that no theft article has been recovered from the conscious possession of the petitioner. He further submits that the house from where the alleged theft article was recovered is a joint house where the petitioner and her husband, uncle and other family members lives. During course of investigation, not a single witness has come forward supporting the prosecution case. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 05.08.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Lila Devi has been granted bail by this Court vide order dated 23.10.2024 passed in Cr. Misc. No. 75375 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious



in nature. He submits that the apprehended co-accused Lila Devi has confessed her guilt in her confessional statement contained in Para-12 of the case diary. Para-23 of the case diary shows that the stolen article have been recovered from the house of the petitioner.

7. 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 as also the claim for bail being based on parity, 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 Bhairavsthan P.S. Case No. 78 of 2024 (G.R. No. 1210 of 2024).

(Rudra Prakash Mishra, J)

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