

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76951 of 2024

Arising Out of PS. Case No.-216 Year-2024 Thana- RAJAOLI District- Nawada

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Pramila Devi Wife of Birendra @ Birendra Malakar R/O-Village- Amawan
West, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Rajauli P.S Case No. 216 of 2024 for the offences punishable under sections 420, 467, 468, 120 B of the Indian Penal Code lodged on 09.05.2024 by the informant, Neha Singh.

3. As per the prosecution story, the informant alleged that her neighbours, Birendra Kumar and his wife (petitioner herein) came to her house, demanded money and were paid on different dates which altogether comes to Rs. 4,38,000/-. The amount was never returned but a land was executed which later, came to have been in the possession of the agnates of the accused. As the money was not returned, the FIR.

4. Learned counsel for the petitioner submits that a



land was executed, mutation also made but with oblique reason, the FIR. The further submission is that in any case, the allegation mainly is against her husband, he being the lady, has been unnecessary dragged in for which she has already suffered by being in custody since 14.08.2024 (para-14 of the petition). Further, she do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that her name has also come in the FIR.

6. Though, the name is there, mainly it is against the husband, the petitioner is a lady and has suffered by being in custody since 14.08.2024 and do not have criminal antecedent, this Court is inclined to extend her the privilege of bail with conditions.

6. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Nawada, in connection with Rajauli P.S Case No. 216 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner 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 her bail bond by the Trial Court itself;

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

(Rajiv Roy, J)

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