

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74729 of 2023

Arising Out of PS. Case No.-235 Year-2023 Thana- RAJAPAKAR District- Vaishali

Kanchan Kumari Daughter Of Jai Kishun Ram, Wife Of Alok Goael Resident
Of Village- Harpur Hardas, Ps- Rajapakar, Distt- Vaishali At Present Resident
Of Village- Andharwara Chakmahi, Ps- Baranti, Op Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 27-03-2024 Heard Mr. Alok Kumar Alok, learned counsel for
the petitioner and Mr. Md. Ataur Rahman, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
28.06.2023 in connection with Rajapakar P.S. Case No. 235 of
2023, F.I.R. dated 27.06.2023 for the offences punishable under
Sections 302/34 of the Indian Penal Code.

3. According to prosecution case, the daughter of one
Jai Kishun Ram was killed by her own family members
including this petitioner who happens to be the married sister of
the deceased.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case merely on the basis of suspicion.
He further submits that the informant is not the eye witness of



the alleged occurrence and the petitioner and the other accused persons have been made accused in the present case merely on the basis of suspicion. He further submits that the petitioner is the married sister of the victim. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Jai Kishun Ram who is father of the petitioner has been granted anticipatory bail by this Court vide order dated 19.03.2024 passed in Cr. Misc. No. 2438 of 2024. The petitioner is in custody since 28.06.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the accused persons were recorded and mentioned in paragraph nos. 16 and 17 of the case diary in which the mother of the petitioner has categorically stated that she along with other accused persons including the petitioner have committed the crime in question.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with



Rajapakar P.S. Case No. 235 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

