

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80256 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- CHANDRAMANDI District- Jamui

Usha Devi Wife of Rambaran Paswan @ Mushahara Resident of village-
Mansidih , P.S-Chandramandih, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Chandramandih P.S. Case No. 160 of 2024 for the offence under Sections 305 and 331(4) of the Bharatiya Nyaya Sanhita lodged on 04.09.2024 by the informant, Sanjay Kumar Yadav.

3. As per the prosecution story, the informant alleged that as he went to sleep after having dinner, woke up to find theft in the house. Accordingly, the FIR.

4. Subsequently, during investigation certain accused persons were apprehended, named her husband whereafter on information, the petitioner was also apprehended and the recovery from her is the LCD of the informant. This led to her arrest.

5. Learned counsel for the petitioner submits that she



being a house wife had no information about the alleged theft and/or the fact that the LCD is a theft material, genuinely believing that it has been purchased by her husband, was carrying it for which she has already suffered by being in custody since 06.09.2024 (paragraph-4 of the petition) and has no criminal antecedent.

6. Learned APP opposes the prayer for bail submitting that the recovery is from the lady.

7. Having gone through the facts of the case as also the submissions put forwarded by the parties, the husband of the petitioner is an accused in the case, she is the housewife, remained in custody since 06.09.2024 having no criminal antecedent, FIR lodged and she will be facing the trial, this Court is inclined to extend her the privilege of bail with conditions.

8. 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 Judicial Magistrate-1st Class, Jamui, in connection with Chandramandih P.S. Case No. 160 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/her 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)

Adnan/-

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