

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82950 of 2023

Arising Out of PS. Case No.-479 Year-2023 Thana- KADAMKUAN District- Patna

NEHA KUMARI D/O SHANKAR RAM R/O RUPAS TOLA, HASHAN
CHAK, P.S.- ATHMALGOLA, DIST.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Bihari Singh
For the Opposite Party/s	:	Mr.Uma Shankar Prasad Singh
For the Informant	:	Mr. Mayank Rukhiyar, Adv

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kadamkuan P.S. Case No. 479 of 2023 registered on 10.08.2023
lodged under Sections 380 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against the sole petitioner to whom there is an allegation of theft
of 13 lakhs from the house of the informant where she was
working as maid.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 13.08.2023 having no criminal case pending
against him. Counsel submits that she is serving to her master



since childhood. Charge-sheet has been filed in this case as well as charge has already been framed.

5. Learned counsel for the State opposes the prayer for bail.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that from seizure list it transpires that Rs. 2,11,000/- has been recovered from the house of the petitioner but she has not disclosed about the rest money. Counsel submits that the petitioner has also disclosed in her confessional statement that she has accepted the money which has been recovered.

7. In the present facts and circumstances of this case particularly when charge has already been framed no purpose shall be served keeping the petitioner in jail particularly when the case is triable by Magistrate and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class in connection with Kadamkuan P.S. Case No. 479 of 2023, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.



(i) one of the bailor should be the family member 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 his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

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

(Dr. Anshuman, J)

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