

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86430 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- KADWA District- Katihar

Champa Devi W/o- Pradip Yadav R/o Vill- Sagrath, Ward no- 09, P.S-
Kadwah, Dist-Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Soni Srivastava
		Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-01-2024 Heard Ms. Soni Srivastava, learned counsel for the

petitioner and Mr. Surendra Prasad Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
10.05.2022, in connection with Sessions Trial No. 463 of 2022
arising out of Kadwa P.S. Case No. 138 of 2022, F.I.R. dated
09.05.2022 registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

3. Earlier the bail petition of the petitioner was
rejected vide order dated 27.02.2023 passed in Cr. Misc. No.
57191 of 2022.

4. Vide order dated 05.01.2024 a report was called
for with regard to the stage of the trial. Report dated 11.01.2024



of the learned Trial Court reveals that out of nine chargesheeted witnesses, four witnesses have already been examined as yet.

5. Learned counsel for the petitioner referring the aforesaid report and submits that in view of the report of the learned Trial court the trial is not concluded in near future and the petitioner is in custody since 10.05.2022.

6. In view of the aforesaid facts and the period of custody as well as report of the learned Trial Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Katihar in connection with Sessions Trial No. 463 of 2022 arising out of Kadwa P.S. Case No. 138 of 2022, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) 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 antecedents, 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)

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