

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24523 of 2025

Arising out of PS. Case No.-563 Year-2024 Thana- MALSALAMI District- Patna

Sudama Devi W/o Arvind Rai Resident of Mohalla- Patthar Ghat, P.S- Mal-salami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s: Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 07-07-2025 Heard learned senior counsel for the petitioner and
learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the
offences under Sections 103/3(5) of the BNS. She has no crimi-
nal antecedent.

3. As per the FIR, the informant alleged that his
brother used to ply "Thela" and on the fateful day he received
information that the dead body of his brother was found at
Patharghat, thereafter, the informant went there and found that
the police was there and the face of his brother was brutally
damaged.

4. Mr. Ramakant Sharma, learned senior counsel ap-
pearing on behalf of the petitioner submits that the petitioner has



falsely been implicated in this case and admittedly she was not named in the FIR. Learned senior counsel has further submitted that name of the petitioner has surfaced in the confessional statement of co-accused namely Rajendra Kumar @ Petarhi and barring the same there is nothing to connect the petitioner with the present crime. It is also submitted by learned senior counsel that subsequently the confession of the petitioner was also recorded which does not have any evidenciary value. It is next submitted by learned senior counsel for the petitioner that barring the confession wherein general and omnibus allegation is made against the petitioner there is nothing against the petitioner, who is a lady having clean antecedent and she is in custody since 05.01.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the petitioner is a lady and she in custody since 05.01.2025 having no criminal antecedent, the petitioner above named, is directed to 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 the learned Additional Chief Judicial Magistrate-



IV/Court concerned, Patna City, Patna in connection with Mal-salami P.S. Case No. 563 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) 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 his 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 the same or in the name of



verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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