

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29270 of 2025

Arising Out of PS. Case No.-508 Year-2022 Thana- TEKARI District- Gaya

Nakoya Kumari @ Rudha Devi Wife of Pawan Yadav R/o Village -
Dumarsan, P.S.- Tekari, District - Gaya, At present R/o Village - Tankuppa,
P.S.- Konch, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-06-2025 Heard Mr. Sudhir Kumar Sinha, learned counsel for
the petitioner as well as Mr. Bhanu Pratap Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.12.2024 in connection with Tekari P.S. Case No. 508 of
2022, F.I.R. dated 12.08.2022 for the offences punishable under
Sections 341, 323, 324, 307, 504, 506, 302/34 of the Indian
Penal Code.

3. According to prosecution case, the informant
alleged that his brother was working as vendor in Indian Gas
Godown. The petitioner along with other accused persons
demanded gas cylinder for preparing illegal liquor to which the
informant's brother refused to provide the same, upon this they
assaulted his brother and due to which he died.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. From bare perusal of the FIR, it appears that there is no specific assault or overt act against the petitioner rather the allegation levelled against her is general and omnibus and the similarly situated co-accused person, namely, Awadh Yadav and Gaurav Yadav @ Gorakh Yadav has been granted privilege of bail by this Court vide order dated 04.07.2023 in Cr. Misc. No.19335 of 2023 and another co-accused person, namely, Chintu Kumar has been granted bail by this Court vide order dated 23.08.2024 passed in Cr. Misc. No. 85383 of 2023 and the police after investigation has submitted charge-sheet. The petitioner is in custody since 20.12.2024.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is no specific allegation of assault or overt act against her and similarly situated co-accused persons have been granted bail by this Court, 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



Additional Chief Judicial Magistrate, VI, Gaya in connection with Tekari P.S. Case No. 508 of 2022, 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, his 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)

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