

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73674 of 2024

Arising Out of PS. Case No.-157 Year-2024 Thana- ALOULI District- Khagaria

Parwati Devi @ Sita Devi W/o Santosh Pandit R/o Village- Haripur, P.S.-
Alauli, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr.Ranjeet Kumar Singh, learned counsel

for the petitioner and Mr.Prem Kumar Jha, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Alauli P.S.Case No.157 of 2024, G.R. No.1165 of 2024 registered for the offences punishable under Section 302 read with Section 34 of IPC and Section 27 of Arms Act.

3. Allegation against the petitioner is that she alongwith other co-accused persons and two unknown persons have entered into a conspiracy and with common object have committed murder of her husband.

4. Learned counsel for the petitioner submits that



the petitioner has clean antecedent and she has falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that there is no eye witness of the alleged occurrence which suggests that the petitioner was involved in the present crime in question. Learned counsel for the petitioner submits that except the confessional statement of the co-accused person, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Further submits that in fact in the year 2023 the petitioner has filed a case against the deceased bearing Khagaria (Chitragupta Nagar P.S. Case No.933 of 2023) under Sections 366(A), 323,504,56/34 of IPC alleging therein that the deceased has kidnapped her daughter and due to previous incident the petitioner has falsely been implicated in the present false case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the co-accused person has disclosed that the petitioner was involved in the present crime in question.

6. Considering the aforesaid facts, let the petitioner,



above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned Chief Judicial Magistrate, Khagairai in connection with Alauli P.S.Case No.157 of 2024, G.R. No.1165 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other 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 his/her absence on two consecutive dates without sufficient reason, his/her 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



his/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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