

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82502 of 2024

Arising Out of PS. Case No.-214 Year-2020 Thana- CHAKAI District- Jamui

Sunita Devi @ Manju Devi W/o Babu Yadav @ Baby Yadav Village-
Bakshila Tola, Naiyadih, Ps. Chakai, Dist. Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-02-2025 Heard Mr. Satya Prakash Parasar, learned counsel
for the petitioner and Mr. Nand Kishore Prasad, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.03.2022 in connection with Chakai P.S. Case No. 214 of
2020, F.I.R. dated 06.11.2020 for the offences punishable under
Sections 302, 328 and 120(B) of the Indian Penal Code.

3. Earlier the petitioner has moved before this
Hon'ble Court for grant of regular bail which was dismissed as
withdrawn vide order dated 25.01.2023 passed in Cr. Misc. No.
35098 of 2022.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner has been made accused in this case merely on the ground that she is sister-in-law of the deceased. He further submits that as per the allegation in the F.I.R, all the accused persons including this petitioner have gave a cup of tea to the deceased and after consuming the same she became restless and later on died. He further submits that on the same set of allegation, co-accused persons, namely, Rameshwar Yadav and Palwa Devi who are also in-laws of the deceased have been granted regular bail by this Court vide order dated 25.01.2023 passed in Cr. Misc. No. 35098 of 2022 and husband of the deceased namely, Fuldeo Yadav is in judicial custody. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.03.2022.

5. Vide order dated 17.01.2025, a report was called with regard to the stage of trial. Report of the learned Trial Court dated 27.01.2025 reveals that out of 12 charge sheet witnesses only 2 witnesses (informant and doctor) have been examined and the case is pending for examination of rest of the prosecution witnesses.



6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner who is a lady is in custody since 07.03.2022 i.e. approximately 3 years and other similiary situated co-accused persons have been granted regular bail by this Court.

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

8. Considering the aforesaid facts and circumstances, report of the learned Trial Court as well as period of custody, 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-V, Jamui in connection with Chakai P.S. Case No. 214 of 2020, 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, 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 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)

Vanisha/-

U		T	
---	--	---	--

