

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5018 of 2015

Arising Out of PS.Case No. -312 Year- 2014 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Sabuja Devi wife of Jagdeo Yadav resident of village - Makanpur, Tole -
Chakdaudpur, P.S. Noorsarai, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Binod Kr. 3(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Noorsarai P.S. Case No. 312 of 2014 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 302, 427, 448,
504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner gave order to her husband
to shoot Ranjeet Yadav upon which he fired by country made katta
on the neck of Ranjeet Yadav who sustained injury and on hearing
sound of firing, villagers and family members of the informant
rushed towards the place of occurrence and then the accused
persons fled away making firing and causing threats to kill all the

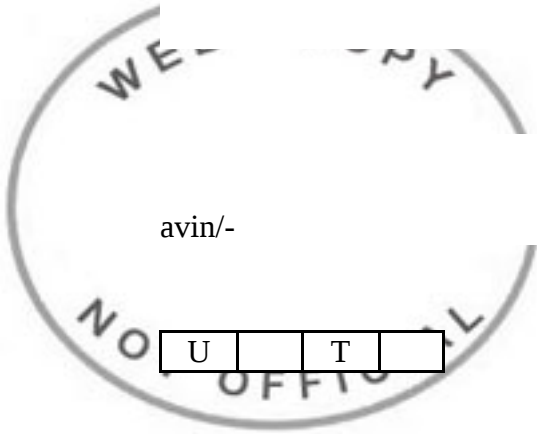
family members if the land would not be given.

Submission is of false implication and that the petitioner is an old lady, she is not the assailant and as such she deserves sympathetic consideration under the provisions of Section 437 of the Cr.P.C. The petitioner is suffering in custody since 23.11.2014 having no criminal antecedent and in this case chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP duly assisted by the learned counsel representing the informant opposed the prayer for bail by submitting that the petitioner is the order giver.

In the facts and circumstances stated above, considering the gender of the petitioner and further she is merely an order giver, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Noorsarai P.S. Case No. 312 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial

and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.



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(Jitendra Mohan Sharma, J)