

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39243 of 2015

Arising Out of PS.Case No. -258 Year- 2014 Thana -BALIA District- BEGUSARAI

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Phulo Devi, W/o Late Ramo Yadav, R/o Mohalla- Hanuman Mahto Tola,
Village- Lakhminia, P.S.- Ballia, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abul Kalam

For the Opposite Party/s : Mr. Umesh Lal Verma(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 26-11-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in Ballia

P.S. Case No.258 of 2014 for the offence under Section 364A of

the I.P.C.

The case diary of the present case was called for

which has since been received.

Learned counsel for the petitioner submits that save

and except the petitioner had called the victim lady Anita Devi and

asked her to go to the house of one Krishna Dev Pandit stating that

co-accused Robin Yadav was calling her at the residence of

Krishnadeo Pandit, there is no further allegation against her.

Learned counsel for the State after perusal of the

case diary submits that there is enough material in the case diary which indicates the complicity of the petitioner. He further submits that mobile of the deceased lady was recovered on the basis of confessional statement of one co-accused Nakul Yakul Yadav which had been concealed after the death of the victim, Anita Devi. In his confessional statement the name of the petitioner has also come as one of the participants of the occurrence.

Considering the facts and circumstances of the case and there is clear indication that the petitioner had some role to play right from the time the victim disappeared till her death, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected.

However, if the petitioner surrenders before the court below within four weeks from today and prays for regular bail, the court below shall consider the same on the same day without being prejudiced by this order.

(Anjana Mishra, J)

AnilKrSinha/-

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