

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48724 of 2015

Arising Out of PS.Case No. -73 Year- 2015 Thana -MAIRWA District- SIWAN

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Archana Devi, wife of Kanhaiya Bhagat, Resident of village- Domdih
Kushwaha Tola, P.S.- Mairwa, District- Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 23-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Archana Devi, in connection with Mairwa Police Station Case No.73 2015 under Sections 341/323/325/302/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Raghav Prasad, learned Counsel, appearing for the petitioner, and Ms. Nirmala Kumari, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 24.05.2015 in connection with the case aforementioned and though charge sheet has been submitted, trial has not yet commenced and allegations as regards assault on

the deceased are not supported by the postmortem report, coupled with the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect her trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs.10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Mairwa Police Station Case No.73 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I.A. Ansari, ACJ)

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