

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15233 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

Asha Devi, W/o Late Nityanand Yadav, R/o Village-Chak Maskan, P.O. & P.S.- Suryagadha, Distt. Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 10-09-2015 Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner is apprehending her arrest in connection with Begusarai (Town) (Lohia Nagar) P.S. Case No.13 of 2015 for allegedly having committed the offence under Sections 363 and 365/34 of the Indian Penal Code. Subsequently, Section 364 of the Indian Penal Code was also added.

Earlier case diary in the case was called for, which has since been received.

Learned counsel for the petitioner has filed a supplementary affidavit clarifying that the petitioner has no criminal antecedent and the case referred to was merely one of

suspicion and thereafter the petitioner was never sent up for trial. Thus, it cannot be considered to be a part of the criminal history.

Learned counsel for the State has perused the case diary.

The allegation against the petitioner is that she was the Mukhiya of the Village and only because the name of her brother-in-law (Devar), who was one of the accused persons, has surfaced in the confessional statement made before the police by one Rakesh Yadav and signed by one Upendra Paswan, the petitioner must also necessarily have been involved in the killing of the deceased Raj Kishore Prasad, who was a Rojgar Sevak.

Considering the nature of allegations made against the petitioner and also there being no cogent materials in the case diary so as to implicate the petitioner in connection with the present case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this 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 the learned Chief Judicial

Magistrate, Begusarai, in connection with Begusarai (T))Lohia
Nagar) P.S. Case No.13 of 2015, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Anjana Mishra, J)

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