

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52003 of 2015

Arising Out of PS.Case No. -53 Year- 2003 Thana -BIHIYA District- BHOJPUR

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Laxmi Devi wife of Vinod Paswan, resident of Village- Mahuwao, Police Station- Bihiya, District- Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in connection with
Bihiya P.S. Case No. 53 of 2003, for the offences alleged
under Sections 304B, 201 and 34 of the Indian Penal Code.

The prosecution case as alleged by the informant
Hardwar Ram before the Officer-in-Charge, Police Station,
Bihiya stating therein that on 17.05.2003 his daughter, Sita
Devi, who was married to Vinod Paswan in the year 1998 and
Gawna was held in the year 2001. Sita Devi was residing in
her sasural, and meanwhile, Vinod Paswan was indulged in
love affair with Laxmi Devi, the petitioner and later on her
husband and other co-accused killed the informant's daughter
by burning her on 16.05.2003.

It has been submitted by the counsel for the

petitioner that petitioner is innocent and has been falsely implicated in this case. It has further been submitted that other accused persons have been discharged by the court of learned Additional Sessions Judge-I, Ara, vide order dated 19.07.2010, passed in Sessions Trial No. 498 of 2008. Furthermore, it has been submitted that at the time of alleged offence, the petitioner was not married neither present at the place of occurrence and during the course of investigation, her name surfaced. The petitioner also submits that she is a lady and is not related with the family members of the accused Vinod Paswan.

Be that as it may, let the petitioner, namely, Laxmi Devi, in the event of her arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Ara, in connection with Bihiya P.S. Case No. 53 of 2003, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Nilu Agrawal, J)

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