

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30200 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -SHAMBHUGANJ District- BANKA

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Binita Devi wife of Kajal Kumar Resident of Village Gidhoura, P.S
Shambhuganj, district Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ashok Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Section 302 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that his father had some altercation with Kajal Kumar when his father demanded his dues from Kajal Kumar. His father was going for morning walk, the informant heard sound of firing and saw Kajal Kumar and his wife the petitioner were going. Bittu Kumar and Chhotu Kumar, the brother in law of Kajal Kumar were fleeing away where father of the informant was found in a pool of blood and he is said to have disclosed that Kajal Kumar, his wife the petitioner, Bittu Kumar and Chhotu Kumar fired upon him.

It is submitted that only two injuries were found on the dead body of the deceased. Petitioner is a lady and she is in jail since 15.04.2015.

On the other hand, learned Additional Public Prosecutor opposed the prayer for bail.

Considering the facts aforesaid and the fact that there is no specific allegation of firing against the petitioner and only two firearm injury are found on the dead body of the deceased, although Chhotu Kumar and Bittu Kumar were found fleeing away from the place of occurrence, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka in Shambhuganj P.S. Case No. 31 of 2015.

(Prabhat Kumar Jha, J)

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