

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29276 of 2015

Arising Out of PS.Case No. -144 Year- 2013 Thana -NATHNAGAR District- BHAGALPUR

1. Sarita Devi @ Savita Devi W/o Mukesh Yadav Resident of Mohalla
Narga, P.S. Nath Nagar, District Bhagalpur.

.... Petitioner/s
Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Dr .Ajeet Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-07-2015 Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending her arrest in a
case registered for the offences punishable under Sections
420, 120B/34 of the Indian Penal Code.

The prosecution case is that the informant has
been on litigating terms with accused. In 2006 the Sanjay
Jha and others assaulted the husband and father-in-law
of the informant wherein Sanjay Jha has been convicted.
In 2005 also rape case being Nath Nagar
(Madhusudanpur) P.S. Case No. 285 of 2005 was lodged
against husband of informant and her tenant Lalan Jha at

the behest of Sanjay Jha which was found false. It is lastly alleged that all the First Information Report named accused persons hatched a conspiracy along with the petitioner to get the husband of the informant implicated in a case with accusation of rape.

It is submitted by the learned counsel for the petitioner that the petitioner has not been named in the First Information Report. Her name transpired during investigation. The petitioner filed Nathnagar P.S. Case No. 143 of 2013 against the brother-in-law and the husband of the informant levelling accusation under Section 376 of the Indian Penal Code which has been found true, and as a result, the petitioner has been sought to be roped in the subsequent case. Accusation is specific against the First Information Report named accused persons.

Considering the fact that the name of the petitioner sprang up in the background of case lodged by petitioner's side against the informant's husband and brother-in-law at earlier point of time and statement has been made in para-3 of the petition that petitioner has no criminal antecedent, let the above named petitioner be released on bail in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief

Judicial Magistrate, Bhagalpur in connection with Nathnagar
(Madhusudanpur P.S. Case No. 144 of 2013, subject to
conditions as laid down under Section 438(2) of the Indian
Penal Code.

(Dinesh Kumar Singh, J)

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