

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8968 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -MUNGER MUFFASIL District- MUNGER

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Amala Devi wife of Satto Mahton resident of village- Shiv Nagar, P.S.
Kasim Bazar, District- Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Mr. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 341, 342, 363, 364 and 365 of the Indian Penal Code.

Allegedly, Yogendra Yadav told the informant that Gautam Kumar Yadav was caught by co-accused and thereafter he was taken away towards the Riverine. During investigation the dead body of Gautam Kumar Yadav was recovered and further the name of the petitioner and co-accused Umesh Yadav also transpired.

Submission is of false implication and that there is no eye witness of the occurrence, Yogendra Yadav has refused to



give statement under Section 164 Cr.P.C., which is evident from para-12 of the supplementary case diary, during investigation it has come that the deceased was himself a veteran criminal and he was demanding ransom of Rs.50,000/- from Umesh Yadav and the petitioner, which is evident from para-39 of the case diary and para-4 of the supplementary case diary. From the postmortem report also it reveals that death was caused later on and not on the alleged date of kidnapping, other co-accused, namely, Indrajeet Yadav, Halla Yadav, Pramod Yadav, Jeevan Yadav and Umesh Yadav have already been allowed bail and petitioner, being lady, is suffering in custody since 6.7.2015.

The learned A.P.P. fairly submits that co-accused have been allowed bail.

In the facts and circumstances stated above, considering that other co-accused have been allowed bail, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 5th, Munger in connection with S.T. No.294 of 2015 arising out of Muffasil P.S. Case No.92 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial

jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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