

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27635 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Sita Devi, wife of Baidya Nath Sah alias Brijnath alias Baiju Sah, resident
of village- Rahimpur, P.S- Bidupur, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending her arrest in connection
with Bidupur P.S. Case No.73 of 2016 for allegedly having
committed the offence under Sections 341, 612, 324, 307, 379
and 34 of the Indian Penal Code and Section 27 of the Arms
Act.

Learned counsel for the petitioner submits that the
petitioner is a lady Constable, who has been falsely implicated
in the present case on account of previous dispute. It is further
submitted that on the relevant date, the petitioner was on
examination duty at West Champaran and on 18.3.2016 she was
released only after 5 O'clock. The distance between Bettiah
(West Champaran) and Vaishali, if considered, is more than 100

Kms. and it is hardly possible to reach the place within such a short span of time. The *Kaman* clearly reveals that she was released at 5.15 P.M. Therefore, the allegation is palpably false.

Having heard learned counsel for the petitioner and the learned counsel for the State and considering all facts and circumstances of the case and the nature of the allegations and there being a history of land disputes between the parties and also because the petitioner is having no criminal antecedents and belongs to the Bihar Police, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P.S. Case No.73 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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