

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33962 of 2016

Arising Out of PS.Case No. -64 Year- 2005 Thana -BARGANIA District- SITAMARHI

1. Puja Kumari @ Puja Paswan D/o Late Kailash Paswan Resident of Village- Chaitya, P.S.- Pakaridayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh

For the Opposite Party/s Mr. Rajendra Singh Shastriji

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

06/ 15.11.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner apprehends her arrest in connection with a case registered under section 302 and other sections of the Indian Penal Code, section 27 of the Arms Act and section 17 C.L.A. Act.

Petitioner is not named in the first information report and submission on behalf of the petitioner is that after ten years of the present occurrence the name of the petitioner surfaced in this case as well as in Bairgania P.S. Case no. 63/2005 which had been lodged along with the present case. It is further submitted that so far as paragraphs referred by the court below are concerned, there is nothing against the petitioner in the aforesaid paragraphs and, as a matter of fact, she has been implicated in this case by police on mere suspicion. It is further

submitted that presently, the petitioner is aged about 20 years and, as a matter of fact, she was hardly 10 years old at the time of alleged occurrence as according to the prosecution case itself, alleged occurrence had taken place in the year 2005. It is further submitted that the petitioner has already been granted privilege of anticipatory bail by a coordinate bench of this court in Bairgania P.S. Case no. 63/2005.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Bairgania P.S. Case no. 64/2005 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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