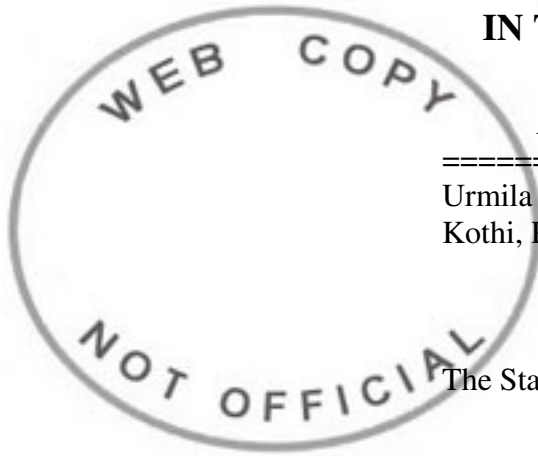




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40128 of 2016

Arising Out of PS.Case No. -52 Year- 1995 Thana -BARHARA District- PURNIA

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Urmila Devi wife of Chhotelal Das resident of Village- Baruna Barhara
Kothi, P.S.- Raghubansh Nagar, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Smt. Renuka Ratnakar,A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-10-2016

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner apprehends her arrest in connection with
Barhara P.S. Case No.52 of 1995 registered for the offence under
Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case, in brief, is that during course
of polling the informant's father, namely, Arjun Mandal objected
to use of unfair means and certain accused persons and the named
accused had killed the father of the informant.

It has been submitted by the learned counsel for the
petitioner that she is not named in the F.I.R. and only on the basis
of suspicion a supplementary charge sheet has been submitted



against her and one Bindeshwari Choudhary. It has been submitted that all the accused persons named in the F.I.R. have been acquitted by the Additional Sessions Judge F.T.C.-2nd, Purnea, in Sessions Trial No.52 of 1997 on 31.03.2004 and Bindeshwari Choudhary who was also charge sheeted along with the petitioner has also been acquitted in Sessions Trial No.733 of 2007 on 17.10.2008 by the Additional Sessions Judge F.T.C.-8th, Purnea. He submits that the petitioner is living in Delhi who is 67 years old woman not named in the F.I.R.

However, learned A.P.P.for the State submits that the petitioner's name surfaced during course of investigation and hence, opposes the prayer for bail.

Be that as it may, since the accused named in the F.I.R. have already been acquitted by the learned court below whereas the petitioner is not named in the F.I.R. is an old lady and does not have criminal history, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of eight weeks from today be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in Barhara P.S. Case No.52 of 1995 subject to the conditions as

laid down under Section 438(2) of Cr.P.C.

(Nilu Agrawal, J)

AnilKrSinha/-

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