

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7171 of 2016

Arising Out of PS.Case No. -147 Year- 2013 Thana -SAHKUND District- BHAGALPUR

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Rakhi Devi Wife of Sanjay Singh, Resident of Village- Bakchappar, P.S
Shahkund, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 18-04-2016 Heard Sri Ranjan Kumar Jha, learned counsel for the

petitioner and Sri Surendra Prasad Singh, learned Addl. Public

Prosecutor.

The petitioner, who is in custody in Shahkund P.S.

Case no.147/13 registered for the offence under Sections 324,

302/34 of the Indian Penal Code and Section 27 of the Arms Act,

has prayed for grant of bail.

It was submitted by learned counsel for the petitioner

that as per the F.I.R. itself, the informant has lodged the case on

the basis of hearsay statement. He further submits that there is no

specific accusation against the petitioner. Moreover, one of the co-

accused, namely, Sumitra Devi in similar circumstance has been

extended the privilege of anticipatory vide order dated 03.11.2014

passed in Cr.Misc.No.24147 of 2014, whereas the petitioner is in custody. Earlier the case diary was called for.

Learned Addl. Public Prosecutor has opposed the prayer for bail. However, he was not in a position to dispute that one of the co-accused vide Annexure-2 was extended the privilege of anticipatory bail.

Keeping in view of fact that there is general and omnibus allegation as well as the fact that one of the co-accused in similar circumstance has already been extended the privilege of anticipatory bail, there is no reason to further detain the petitioner.. Let the petitioner, namely, Rakhi Devi be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Shahkund P.S. Case no.147/13.

(Rakesh Kumar, J)

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