

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23414 of 2016

Arising Out of PS.Case No. -102 Year- 2016 Thana -SONEPUR District- SARAN

=====

Laljhari Devi Wife of Raju Nut, resident of village - Barui, P.S. Baniyapur,
District – Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Uday Chandra Prasad(App)

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Sonepur P.S. Case No. 102 of 2016 registered for offences under sections 396 and 397 of the Indian Penal Code and later on, section 412 I.P.C. was added.

The petitioner is wife of one Raju Nut. As per the first information report, 5-6 persons entered into the house of the informant in the night of 8/9-3-2016 and committed dacoity. While committing dacoity, they killed two persons.

The Police during investigation, arrested the husband of the petitioner who confessed his involvement in the said crime and so much so that he also made a statement of using looted

material by his wife which was recovered from her body.

The counsel for the petitioner submits that as per the fardbeyan, there is no allegation against any lady involved in such crime, only the allegation has been made that 5-6 persons entered into the house of the informant and committed a crime. He further submits that the material brought by the husband of the petitioner, has been used by her and she was not knowing that the Payal is said to be a looted material. He further submits that there is no special mark on the Payal, which indicates relation with the commission of the crime. The petitioner has no criminal history.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on her furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Saran, Chapra in connection with Sonapur P.S. Case No. 102 of 2016, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two

consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.



Mahesh/-

(Shivaji Pandey, J)

U		T	
---	--	---	--