

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41818 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -DORIGANJ District- SARAN

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1. Khusboo Khatoon @ Priyanka @ Muskan Daughter of Md. Mumtaz
Miya Resident of Village-Kapshahar, P.S- Maker , District- Saran.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 06-10-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Doriganj
P.S. Case No. 01 of 2016 registered for the offences punishable
under Sections 387, 427, 506, 120 (B) of the Indian Penal Code,
Sections 3, 4, 5, Explosive Substance Act, Section 17 C.L.A. Act
and Sections 10, 13, 16, 17, 18, 20 U.A.P.A. Act.

Petitioner is not named in the first information report
but during course of investigation informant and some others
disclosed the name of the petitioner and other co-accused on the
information given by the villagers. Furthermore, after
investigation, the statements of two night guards were recorded
and they claimed to have seen the petitioner and others committed
the occurrence.



Submission is of false implication and that the statement of aforesaid night guards is nothing but only after thought story because had the aforesaid night guards identified the petitioner and other co-accused, they would have disclosed the name of the petitioner and others before the informant at the time of preparation of formal F.I.R. The petitioner is in custody since 22.1.2016 and she was remanded in this case from Garkha P.S. Case No. 5 of 2016. The petitioner has been implicated in two more cases, besides that she has got no criminal antecedent. Similarly situated co-accused Praduman Puri has been allowed bail vide Cr. Misc. No. 20455 of 2016 by another co-ordinate Bench of this court.

The learned A.P.P. fairly submits that co-accused has been allowed bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned A.C.J.M-VIIth Saran at Chhapra in connection with Doriganj P.S. Case No. 01 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner

shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

siddharth/avin-

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