

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4046 of 2017

Arising Out of PS.Case No. -401 Year- 2016 Thana -ARARIA District- ARRARIA

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Lalita Devi, wife of Parmanand Sharma, resident of village Om Nagar, P.S.
Araria, District Araria. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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

ORAL ORDER

3 30-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Araria P.S. Case
No. 401 of 2016 registered for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

Allegedly, Kanahiya Kumar Yadav, the son of the
informant, was killed by the petitioner and others and a pistol was
kept on the dead body.

Submission is of false implication and that there is no eye
witness of the occurrence, no one has seen the actual killing, the
petitioner has been made victim of circumstances as the deceased
used to come at the house of the petitioner sometimes and on that
suspicion the petitioner has been implicated and the petitioner has
got no criminal antecedent and as such she deserves sympathetic
consideration.



Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that from the call details of the mobile it reveals that the petitioner was involved in the conspiracy in killing the deceased. The petitioner was not liking that the deceased married at another place after leaving her.

In the facts and circumstances stated above, considering that there is no direct evidence against the petitioner, the petitioner above named 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 learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 401 of 2016, subject to the conditions that one of the bailors must be a 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)

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