

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24683 of 2017

Arising Out of PS.Case No. -110 Year- 2017 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Pinki Devi, W/o Rakesh Kumar @ Laxmi Sah @ D/o Shivnandan Prasad Gupta, @ Shivnandan Prasad Saw, R/o Mahalaxmi Kirana Store, Vegetable Market, Beneath Rajendra Bridge, P.S.- Gopalpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ganesh Sah, S/o Late Jagdambi Sah, R/o Vishanpur Ward No. 43, P.S.- Town, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Dayal

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 07-09-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with (Begusarai Town) Nagar P.S. Case No. 110/2017 registered under Sections 302, 201 and 34 of the Indian Penal Code.

Allegation of the informant Ganesh Sah is that marriage of his brother Laxmi Sah @ Rajesh was performed with the petitioner Pinki Devi, who had illicit relation with Ravi Shankar Gupta. Ravi Shankar Gupta used to visit at the house of his neighbour Nepo Sah and wife Rubi Devi. In the month of October, 2009 all the accused persons took away his brother



Laxmi Sah for providing him job, but his brother did not return. On 25.12.2016, the informant made an enquiry about his brother from Nepo Sah and Rubi Devi and they stated that his brother Laxmi Sah has died and his nephew and niece are residing in Patna. The informant raised suspicion that his brother is murdered by the petitioner and other accused persons, named in the F.I.R.

Learned counsel for the petitioner submits that on the basis of Complaint Case bearing No. 25C/2017 filed by the informant in the court of learned Chief Judicial Magistrate, Begusarai, present case has been lodged on 04.03.2017 under Section 156(3) of the Cr.P.C. In fact, Laxmi Sah, husband of the petitioner was suffering from mental illness and he was under treatment in mental hospital Kake. In the year 2007, her husband left the house and did not return. Thereafter, Shivnandan Sah, father of the petitioner gave information to the police station on 13.10.2007. The informant only to take the share of the children of the petitioner of ancestral property has lodged Complaint Case No. 25C/2017 in the Court of Chief Judicial Magistrate, Begusarai on 04.03.2017 with false allegation. Further, the petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the



event of her arrest or surrender before the Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with (Begusarai Town) Nagar P.S. Case No. 110/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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