

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46677 of 2016

Arising Out of PS.Case No. -62 Year- 2015 Thana -RUDRAPUR District- MADHUBANI

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Sita Devi, Wife of Manoj Paswan, Resident of Village- Jamela, P.S-
Rudrapur. District- Madhubani

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amit Kumar, Advocate

For the Opposite Party : Mr. Sri Shailendra Kumar -1 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 11-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Rudrapur P.S. Case No. 62 of 2015, registered for the
offences punishable under Sections 302, 379/34 of the Indian
Penal Code.

Allegedly, the petitioner is not named in the First
Information Report but during investigation her name transpired in
the statement of witnesses Ramchandra Saday, Ram Awtar Saday
and anothers vide para 6, 16 and 17 that the petitioner took away
the deceased with her and further she also participated and killing
her.

Submission is of false implication and that at best it



is a case of last seen, the petitioner is not named in the F.I.R. and subsequently the witnesses have implicated falsely. She is innocent, she has got no criminal antecedent and, as such, she deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that witnesses Ramchandra Saday, Ram Awtar Saday and Gulab Devi have stated the name of the petitioner also regarding her involvement in the crime.

In the facts and circumstances as stated above, considering the material collected during investigation, I am not inclined to grant privilege of pre-arrest to her and accordingly her such prayer stands rejected in connection with Rudrapur P.S. Case No. 62 of 2015, pending in the Court of learned Additional Chief Judicial Magistrate, Jhanjharpur, District Madhubani.

However, in case and if so advised the petitioner surrenders and seeks regular bail then her prayer for regular bail shall be considered on its own merit preferably on the same day taking into consideration that other co-accused have been allowed regular bail.

(Jitendra Mohan Sharma, J.)

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