

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14342 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -BEERPUR District- BEGUSARAI

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Rina Devi, W/o Narayan Sah, R/o Vill- Bhawanand Pur, P.S.- Birpur,
District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate

For the Opposite Party : Smt. Anita Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 29-06-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in connection
with Birpur P.S. Case No. 02 of 2017, registered for the offences
punishable under Section 457, 380 & 411 of the Indian Penal
Code.

Allegedly, theft was committed in the house of the
informant wherein several household articles were taken away.
The informant suspected the hands of co-accused Raj Kumar Das
in committing theft and Raj Kumar Das confessed his guilt and
thereafter the Raj Kumar Das was handed over to the police.

Submission is of false implication and that in the
F.I.R. she is not named, Raj Kumar Das confessed his guilt and
has stated the name of the petitioner before the police which has



got no evidentiary value in the eye of law, the recovery from the house of the petitioner is of household articles which are of common use and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that on the basis of confessional statement of co-accused from the house of the petitioner theft articles have been recovered.

In the facts and circumstances as stated above, considering the recovery of theft articles from the house of the petitioner, I am not inclined to grant privilege of pre-arrest bail to her and accordingly her such prayer stands rejected in connection with Birpur P.S. Case No. 02 of 2017, pending in the Court of learned A.C.J.M.-I, Begusarai.

However, in case and if so advised the petitioner surrenders and seeks regular bail then her prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court considering that she is lady.

(Jitendra Mohan Sharma, J)

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