

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61893 of 2017

Arising Out of PS. Case No.-29 Year-2017 Thana- ALOULI District- Khagaria

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Teji Devi W/o Shiv Kumar Yadav, R/o Village- Sanjhouti, P.S.- Alauli, Distt.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh,m Adv.

For the Opposite Party/s : SRI LAKSHMI KANT SHARMA, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-12-2017 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case as per the written report of Sita Devi, is to the effect that on 04.02.2017 at 2.00 PM, while the informant was watering his field, the co-accused, Subodh Yadav switched off the machine and on protest being made, Subodh



Yadav, Mithilesh Yadav and Rakesh Yadav started firing in the air. All the accused persons chased the son of the informant intending to assault him, but somehow he saved himself. It is further alleged that next morning, the informant reached her field and found that machine worth Rs.14000/- and pipe worth Rs.4000/- were traceless, concerning which she has alleged that it was taken away by the petitioner.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against Subodh Kumar and others. Name of the petitioner has subsequently been added in the last portion of the FIR only to save their skin in Alauli P.S. Case No.28 of 2017 lodged by the petitioner against the informant's side. The thrust of accusation is against co-accused Subodh Kumar and others. Petitioner's name has been alleged with regard to the subsequent day of the incident, when the informant found her pump and pipe missing. For the occurrence of 04.02.2017, the FIR has been registered on 07.02.2017.

Considering the nature of accusation levelled against the petitioner and delayed lodging of the FIR, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 CJM, Khagaria, in connection with Alauli P.S. Case No.29 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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