

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53052 of 2016

Arising Out of PS.Case No. -64 Year- 2010 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

=====

1. Champa Devi Wife of Bharat Chauhan, resident of Village- Gopalpur,
Police Station- Sarmera, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 14-02-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 15.09.2016 in connection
with Sarmera P.S. Case No. 64 of 2010 registered under Sections 302,
201, 120(B) of the Indian Penal Code.

Accusation is of murder.

Learned counsel for the petitioner has submitted that the
petitioner happens to be an old lady, who is of 65 years, is said to be
cousin sister of Balmiki Chauhan, co-accused, who is said to have
inimical terms with the informant's husband and on this fact only the
name of this petitioner has been implicated in this case. There is no
specific allegation of commission of murder against this petitioner.
Even, no eye witness is there to support the implication of this
petitioner in the alleged crime, which would be evident from the F.I.R.



itself. Furthermore, since the charges have been framed, there is no chance of tempering with evidences. Moreover, Balmiki Chauhan, co-accused, has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 12479 of 2016 and this petitioner is rotting in jail custody for the last four months.

Considering the facts and circumstances of the case and the nature of allegation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Nalanda at Biharsharif in connection with Sarmera P.S. Case No. 64 of 2010.

(Arvind Srivastava, J)

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