

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33272 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -SIKARHATA District- BHOJPUR

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1. Sharda Devi, Wife of Suresh Rai, Resident of Village- Koil, P.S. Charpokhari, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devesh Shankaran

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-08-2017 The petitioner seeks regular bail in connection with Sakarhata P.S. Case No. 12/17, registered for offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and another is of catching hold of the deceased persons, allowing other co-accused persons to kill them.

It has been submitted on behalf of the petitioner that she is a married lady and she was not present in the village at the time of alleged occurrence and whatever allegation that has been made is false and concocted and whole family members have been made accused in this case and now petitioner has been in judicial custody since 06.04.2017.



Learned counsel for the State as well as learned counsel for the informant has opposed the prayer for bail and submitted that if the petitioner and other accused persons had not caught hold the deceased persons, they might have saved their lives, further there is active participation of the petitioner in the said offence, as such, she does not deserve the privilege of bail.

Having heard both sides, in view of the fact that petitioner is a lady and there is no allegation of assault against her, however, considering the serious nature of allegation, at present, I am not inclined to release the petitioner on bail, her application for regular bail is, accordingly, rejected.

However, she may renew her prayer for bail after framing of charge in the court below itself.

(Vinod Kumar Sinha, J)

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