IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44788 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -BIHPUR District- BHAGALPUR

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1. Nutan Rai @ Nutan Devi wife of sri Rakesh Ranjan Rai, resident of Village- Tulsipur, Police Station- Kharik in the district of Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Prabhu Narayan Sharma
For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

5 10-01-2017 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends her arrest in connection with Bihpur (Jhandapur) P.S. Case No. 73 of 2016 which was initially, registered under Sections-302, 120(B)/34 of the Indian Penal Code and 27 of the Arms Act and subsequently, Section-414 of the Indian Penal Code was also added.

Petitioner is not named in the first information report but in course of investigation, it came to light that husband of the petitioner hired the criminals for committing the murder of the deceased persons of this case and the petitioner is said to have withdrawn the amount from the bank and handed over the same to co-accused Munna Singh who subsequently, handed over the said

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amount to other accused. However, it would appear from the case diary that the aforesaid amount was handed over by the petitioner to other accused on the direction of her husband and it appears that except the aforesaid material, there is nothing against the petitioner who happens to be a lady.

Accordingly, this anticipatory bail petition is allowed and it is ordered that the petitioner named above, in the event of her arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bihpur (Jhandapur) P.S. Case No. 73 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Naugachia subject to condition as laid down u/S 438(2) of the Code of Criminal Procedure Code.

(Hemant Kumar Srivastava, J)

A.K.V./-

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