

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12308 of 2017

Arising Out of PS.Case No. -58 Year- 2003 Thana -NARHAT District- NAWADA

=====

Sunita Devi Wife of Kapil Yadav @ Dukhan Yadav, Resident of Village-
Bahadurpur, P.S.-Sitamarhi, District-Nawada. Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun

For the Opposite Party/s : Mr. Sri Binod Kumar 2

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 22-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends her arrest in connection with Narhat
(Sitamarhi) P.S. Case No. 58 of 2003 registered for the offence
punishable under Sections 302/34 of the Indian Penal Code.

This case is of the year 2003 wherein there is allegation
against the petitioner that she was catching hold the leg of the
deceased and other co-accused were strangulating the deceased.

Submission is of false implication and that in this case co-
accused Kapil Yadav, Tulsi Mahto, Bhagiya Devi and Upendra
Mahot faced trial vide Sessions Trial No. 76 of 2014 /171 of 2008
and they have been acquitted vide judgment dated 07.01.2009
annexed at annexure-P2. During trial the informant has not
supported the prosecution version and as such the petitioner
deserves sympathetic consideration. The petitioner was not aware



about the case and when she came to know about the case, she filed her anticipatory bail application before the learned court below.

Learned APP submits that the petitioner remained absconding since long.

In the facts and circumstances stated above, considering that other co-accused have already been acquitted and the informant and others have not supported the prosecution version during trial and as such considering the gender of the petitioner, the petitioner above named, in case of her arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sujit Kumar, J. M. Ist Class, Nawada in connection with Narhat (Sitamarhi) P.S. Case No. 58 of 2003, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--

