

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40418 of 2017

Arising Out of PS. Case No.-2 Year-2017 Thana- BARHARIA District- Siwan

Meera Manjhi Daughter of Bunni Manjhi, Resident of Village-Aalapur,
Police Station-Barhariya, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in judicial custody since
28.01.2017 in connection with Barharia P.S. Case No. 02 of
2017 registered for the offence punishable under Section 394 of
the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while he had collected money for Bandhan Bank and was
going in his cycle, three persons boarded on a motorcycle,
intercepted him and tried to snatch the bag containing Rs. One
lac and on resistance, one of the co-accused opened fire, which
hit his thigh.

It has been submitted by the learned counsel for the
petitioner that she is innocent, not named in the First



Information Report and has been falsely implicated in the aforesaid case just because she is accused in two more cases and on the confessional statement of co-accused Md. Asraf @ Sonu before the police, which has no evidentiary value in the eye of law. He submits that nothing has been recovered from the conscious possession of the petitioner and only some contraband items and a machine for taking out account slip of Bandhan Bank had been recovered for which she has been made accused in Barharia P.S. Case No. 07 of 2017. It is further submitted that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and that she is a lady and is in custody for more than seven months.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean criminal antecedent and two cases are pending against her, one of similar nature.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in



connection with Barharia P.S. Case No. 02 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner and that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of her bail bonds.

(Nilu Agrawal, J.)

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