

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40713 of 2018

Arising Out of PS.Case No. -95 Year- 2018 Thana -MASRAKH District- SARAN

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Puja Devi @ Puja Prabhakar, wife of Sri Om Prakash Prabhakar, D/o Shri Shambhu Prasad, resident of Vilage Bahrauli Kunwar Tola, PS Mashrakh, District Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 09-07-2018 Heard learned Counsel for the petitioner and the State as also the learned Counsel appearing on behalf of the informant.

Petitioner, already in custody since 6.4.2018, seeks bail in Mashrakh PS Case No. 95 of 2018 registered under Sections 302, 120B and 34 of the IPC and Section 27 of the Arms Act.

The allegation in brief is that the informant's younger brother left the home for school, the informant and his two sons followed him, on the way his brother was intercepted by Shambhu Prasad, Vijay Kumar and Ajay Kumar and on the exhortation given by Ajay Kumar, Vijay Kumar shot in the back of head of the informant's brother thereafter Shambhu shot at his back as a result of which he died. It is also alleged that in the occurrence Puja Devi, the petitioner, has conspired along with her father and brother to kill the deceased.

Learned Counsel for the petitioner submits that the deceased is father-in-law of the petitioner and she had lodged a case under Section 498A IPC against her husband and in-laws and on account of that she has been falsely implicated in this case, however even as per the FIR the allegation of killing the informant's brother is against Shambhu Prasad and Vijay Kumar and not against the petitioner who



is a lady and has no criminal antecedent.

Whereas learned Counsel appearing on behalf of the informant submits that earlier also the petitioner's brother and father had assaulted the informant side and the petitioner also conspired to kill her father-in-law.

Having considered the said facts and circumstances, having no accusation of killing against the petitioner who happens to be daughter-in-law of the deceased, the petitioner, namely, Puja Devi @ Puja Prabhakar is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ACJM 6th, Chapra in connection with Mashrakh PS Case No. 95 of 2018.

(Arun Kumar, J)

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