

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 82 of 2018

Arising Out of PS. Case No.-127 Year-2016 Thana- Motihari Town District- East Champaran

Murti Devi, Wife of Bhushan Das, Resident of Village-Machhaha, P.S.-
Motihari Muffasil, District-East Champran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 17-01-2018 Heard Sri Anuj Kumar, learned counsel for the petitioner
and Sri Madan Kumar, learned Addl. Public Prosecutor.

This is the 2nd attempt for grant of bail on behalf of the petitioner. The petitioner is in custody in connection with N.D.P.S. Case No. 09 of 2016, arising out of Motihari Town P.S. Case No. 127 of 2016. Earlier, the prayer for bail of this petitioner was rejected by order dated 01-12-2016 passed in Cr. Misc. No. 40390 of 2016.

Learned counsel for the petitioner submits that after rejection of prayer for bail of the petitioner, one another co-accused of this case has already been granted bail on 13-09-2017, vide Cr. Misc. No. 35005 of 2017 (Annexure – 3). By way of referring to **Annexure – 3**, learned counsel for the petitioner submits that the co-accused namely Geeta Kunwar



was extended the privilege of bail on second occasion on examination of the report from the court below, which suggested that despite framing of charge for long, the prosecution had not produced any witness. It has been argued that since co-accused, having similar accusation, has already been granted bail, the petitioner, on parity, deserves to be released on bail.

Learned Addl. Public Prosecutor has not disputed the fact that co-accused, almost in similar circumstances, has already been granted bail.

Accordingly, let the petitioner namely Murti Devi be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with N.D.P.S. Case No. 09 of 2016, arising out of Motihari Town P.S. Case No. 127 of 2016.

(Rakesh Kumar, J.)

anay

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

