

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29441 of 2018

Arising Out of PS.Case No. -28 Year- 2015 Thana -PHULWARIA District- BEGUSARAI

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Arti Devi, W/o Late Shatrughan Mishra, R/o Vill.- Shokhara
Tiwari Tola, P.S.- Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Informant : Mr. Fazle Karim, Adv.

For the State : Mr. Awadhesh Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH
KUMAR**

ORAL ORDER

4 19-07-2018 Heard the learned counsel for the petitioner,
informant and the State.

The petitioner seeks bail in anticipation of her arrest in connection with Phulwaria P.S. Case No. 28 of 2015, dated 16.03.2015, instituted for the offences under Sections 302 and 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation in the F.I.R. is that the petitioner fired from her weapon leading to injuries on the husband of the informant, who ultimately succumbed to the injuries. The



further allegation in the F.I.R. is that the petitioner along with others conspired and killed the deceased.

Learned counsel for the petitioner has drawn the attention of this Court to the fact that the petitioner was not sent up for trial after thorough investigation, but has been summoned to face trial along with other accused persons under the provisions of Section 319 of the Cr.P.C. Apart from this, it has been argued that the reason for falsely implicating the petitioner is that in a case which was lodged for the murder of her father and husband, viz. Phulwaria P.S. Case No. 143 of 2014, which has given rise to Sessions Trial No. 119 of 2015, in which the informant and others are accused, the petitioner is one of the witnesses.

Considering the aforesaid facts, the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Begusarai in connection with Phulwaria P.S. Case No. 28 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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