

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2020 of 2018

Arising Out of PS. Case No.-592 Year-2017 Thana- SAHARSA District- Saharsa

Runa Devi, Wife of Harilal Sharma, Resident of Village- Morkahi, Ward No.8, Sulindabad, P.S. & District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302, 201 and 120B of the Indian Penal Code.

The prosecution case as per the fardbeyan of Manoj Sharam recorded by Mukesh Kumar Sub-Inspector of Police Sadar Police Station Saharsa at 8.35 PM on 11.06.2017 is to the effect that on 06.06.2017, the informant's brother Binod Sharma left the house by saying that he is going to work place, but he did not return to the house. On 11.06.2017, the police informed him about an unidentified dead body lying in the premises of the Sadar Hospital, when the informant went there, he identified the dead body as his elder brother. It is further alleged that Harilal



Sharma, Radhey Sharma, Nitish Kumar, Chhatish Kumar Sharma and Runa Devi, the petitioner with whom there is land dispute from before under a conspiracy have killed the elder brother of the informant and they have kept the dead body in the premises of Sadar Hospital, Saharsa.

It is submitted by learned counsel for the petitioner that the petitioner's husband is the cousin brother of the informant and in the background of land dispute, the accusation has been levelled. Admittedly, there is no eye witness to the occurrence. The conduct of the informant also appears to be unreasonable when the informant's brother left the house on 06.06.2017, the informant lodged the FIR on 11.06.2017, when the police informed him about an identified dead body lying in the premises of Sadar Hospital, in between the said period no information was given to the police. A statement has been made in paragraph no.3 of the petition that the petitioner being a lady having no criminal antecedent.

It is submitted by Mr. J. Thakur learned APP for the State that the petitioner is named in the FIR.

Considering the FIR based on suspicion and lodged with inordinate delay coupled with inimical relationship between the parties from before and the petitioner being lady, let her be



released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with Saharsa P.S. Case No.592 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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