

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69320 of 2018

Arising Out of PS. Case No.-1126 Year-2017 Thana- AHIYAPUR District- Muzaffarpur

Rekha Devi Wife of TriMohan Thakur, Resident of Village-Bathana P.S.
Ahiyapur District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-12-2018 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of her arrest in connection with Ahiyapur P. S. Case No. 1126 of 2017 dated 30.12.2017 instituted for the offences under Sections 461, 379, 411 and 34 of the Indian Penal Code.

The petitioner and her son were arrested by the informant while committing theft in his shop. The police authorities were summoned but before they could come, the petitioner could manage to run away. From the possession of her son who was accompanying the petitioner, stolen articles and Rs. 2500/- in cash was recovered. It has further been



alleged in the F.I.R. that the petitioner and her son have been committing theft in various shops on regular basis.

Learned counsel for the petitioner has submitted that from the narration made in the F.I.R. itself, the allegation appears to be absurd and false. If the petitioner was nabbed by the informant with the help of local persons, it is difficult to presume that the petitioner being a lady would manage to extricate herself and run away. The other aspect of the matter is that the details of the articles stolen has not been provided by the informant. So far as the recovery of cash from the son of the petitioner is concerned, there is no statement that in the cash box of the shop, cash was available over night. Be it noted that the informant had caught the petitioner early in the morning while opening his shop for the first time.

Considering the aforesaid facts as also taking into account that the petitioner has clean antecedents, the petitioner, above-named, is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of



receipt / production of a copy of this order, on her furnishing
bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with
two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Muzaffarpur in
connection with Ahiyapur P. S. Case No. 1126 of 2017,
subject to the conditions as laid down under Section 438 (2)
Cr.P.C.

(Ashutosh Kumar, J)

skm/-

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