

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19446 of 2018

Arising Out of PS.Case No. -429 Year- 2017 Thana -FATUHA District- PATNA

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1. Seema Devi W/o Mantu Yadav, R/o Village- Naraina, P.S.- Fatuha,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Fatuha P.S.Case No.429 of 2017, registered for offences punishable under Sections 302/34 & 120(B) of the Indian Penal Code.

Allegation against the petitioner is that she along with the other caught hold the deceased and the other accused persons set her on fire causing her death.

Submission of the learned counsel for the petitioner is that there is inordinate delay in lodging the FIR and further the FIR has been received in the court of C.J.M. after three days. Further submission is that as a matter of fact the dispute is with respect to execution of sale deed in favour of Mantu Yadav and the petitioner happens to be wife of Mantu Yadav as such she has been falsely implicated in this case and there is no eye witness of



the occurrence.

Heard learned A.P.P. also who has opposed the prayer for bail on the ground that there is allegation that she caught hold and other accused persons set her on fire.

Having heard both sides and the petitioner is lady and there is no allegation against her of setting her on fire, let the petitioner, surrender before the court below within a period of four weeks from the date of receipt of the order and on her surrender she will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Smt. Savita Rani, J.M. 1st Class, Patna City in connection with Fatuha P.S.Case No.429 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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