

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69616 of 2018

Arising Out of PS. Case No.-137 Year-2017 Thana- KHAJEKALA District- Patna

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Bibha Devi, Wife of Chandan Kumar, Resident of Khajekalaghat, P.S.-
Khajekala, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 17-12-2018 Heard the learned counsel for the parties.

This application for anticipatory bail arises out of Khajekala P.S. Case No.137 of 2017, disclosing offences under Sections 147, 148,149, 302,201 of the Indian Penal Code.

The petitioner is a lady. There are 25 persons named and nearly 50 to 60 persons not named who are said to have committed the offence of killing one Prakash Yadav. Allegedly, all of them joined together and killed him by assaulting with *lathi danda* and *brick stones*.

Learned counsel appearing on behalf of the petitioner submits that there is general and omnibus allegation against all the accused persons including this petitioner. He further contends that based on C.C.T.V. footage, ten persons involved in



the occurrence have been identified as is evident from the First Information Report itself. He submits that the petitioner is not one among them.

Considering the vagueness of allegation, this application is allowed.

Let the petitioner above named in the event of her arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Patna City in Khajekala P.S. Case No.137 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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