

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51164 of 2018**

Arising Out of PS.Case No. -44 Year- 2018 Thana -BASOPATTI District- MADHUBANI

=====

1. Sumitra Devi W/o Bindeshwar Sah, R/o Vill.- Chhatauni, P.S.- Basopatti,  
Distt.- Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      28-09-2018      Heard learned counsel for the petitioner and learned APP for  
the State.

The petitioner is apprehending her arrest in a case  
registered under Sections 302/34 of the Indian Penal Code.

The prosecution case, in brief, is that father of the informant  
was killed by some unknown persons.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation of  
tampering of witnesses alleged against the petitioner. The  
petitioner is a lady. The petitioner is not named in the FIR. There  
is no eye witness to the alleged occurrence. The name of the  
petitioner has come in the present case on the basis of confessional  
statement of co-accused Vijay Yadav. Except for confessional



statement, there is no other substantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the State and the informant, it is submitted that the petitioner is not named in the FIR and co-accused has named the petitioner in this case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Madhubani in connection with Basopatti P.S. Case No. 44 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

