

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8031 of 2019

Arising Out of P.S. Case No.-126 Year-2018 Thana- SAMASTIPUR (R.T) District-
Muzaffarpur

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HASINA KHATOON @ MAKSUDAN KHATOON, (F) aged about 55 years,
W/o Late Mahammad @ Lal Mohammad Mansur village-Chakki Mayurwa,
near Jamunia Urf Marjurwa ward no.11, P.S-Sonbarsa, Distt.-Sitamarhi, at
present resident of Mohalla-Mehsaul, P.S. and District-Sitamarhi but in the
FIR name of the petitioner is mentioned as Chandani Devi and husband name
of the petitioner is mentioned as Jagdish Rai is not correct

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-02-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
10.07.2018 in connection with Samastipur Rail P.S.Case No.126
of 2018 for the offence alleged under Sections 379 and 414 of
the Indian Penal Code.

The prosecution case as lodged by the informant is
that while he along with three friends were on the train going to
buy vegetables, the petitioner by cutting the pocket by blade had
taken Rs.10,000/- from the possession of the informant who was
caught red handed and revealed her name as Chandani Devi.

It has been submitted by the learned counsel for the



petitioner that she is innocent and has been falsely implicated in the aforesaid case. He further submits that the petitioner is of unsound mind and the chargesheet has already been submitted, there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was caught red handed and does not bear a clean antecedent as one more case is pending against her. It is further submitted that there is allegation of revealing a wrong identity in the FIR.

Considering the facts and circumstances and the materials on record, the period of custody as well as the chargesheet has already been submitted, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Samastipur Rail P.S.Case No.126 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate, Rail Samastipur, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating her/his relationship with the petitioner.



(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of her bail bonds.

(Nilu Agrawal, J)

B.Kr./-

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