

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9751 of 2019

Arising Out of PS. Case No.-183 Year-2018 Thana- BELHAR District- Banka

Pushplata Devi @ Pushpa Devi, Wife of Bhagwan Thakur, Resident of
Village- Bachhour, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramakant Sharma, Sr. Adv. Mr. L.K. Sharma, Adv. Mr. Prem Shankar Prasad, Adv.
For the Informant	:	Mr. Ranjan Kumar Jha, Adv.
For the State	:	Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case initially registered for the offences punishable under Sections 147, 148, 149, 323, 325, 504 and 506 of the IPC and Section 27 of the Arms Act. Subsequently, Section 302 IPC was also added.

The prosecution case, as per the written report of Laxman Kumar Mishra, dated 07.07.2018, submitted to the Station House Officer, Belhar Police Station, is to the effect that 8 FIR named accused persons came variously armed and started assaulting the informant and when the informant escaped from the scene, then they assaulted the brother of the informant



indiscriminately. Thereafter all the accused persons entered into the house of the informant and assaulted the mother of the informant. Subsequently, the brother of the informant succumbed to the injuries. The name of the petitioner sprang up during investigation as she was also present at the place of occurrence and snatched earring of the mother of the informant.

It is submitted by learned counsel for the petitioner that the accusation is specific against all the FIR named accused persons. The petitioner is not named in the FIR. Her name subsequently sprang up during investigation. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up during investigation.

Considering the accusation being specific against the FIR named accused persons whereas the petitioner is not named in the FIR, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Banka in connection with Belhar P.S. Case No.183 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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