

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31205 of 2019

Arising Out of PS. Case No.-321 Year-2017 Thana- HARNAUT District- Nalanda

RITA DEVI Wife of Late Dharamvir Ram, Resident of Village - Gokhulpur,
P.S.- Harnaut, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 147, 148, 149, 341, 307/34 IPC and Section 27 of the Arms Act registered in connection with Harnaut (Gokhulpur) P.S. Case No. 321 of 2017.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having caught hold of the victim while co-accused Vivek Ram and Rakesh Ram fired on the husband of the informant. It is submitted that after investigation, the police has submitted final form exonerating the petitioner. It is further stated that despite having noticed such fact, cognizance order erroneously has been passed treating the petitioner as a chargesheet accused. The petitioner is a lady claiming clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM VI, Nalanda at Biharsharif, in connection with Harnaut



(Gokhulpur) P.S. Case No. 321 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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