

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4737 of 2019

Arising Out of PS. Case No.-236 Year-2018 Thana- BATHNAHA District- Sitamarhi

Prativa Devi @ Prativa Bharti wife of Shailendra Mahto, resident of village-
Mtiyar , Police Station- Sahiyara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 31-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Bathnaha P. S. Case No. 236 of 2018 registered under Sections
307 and 120B/34 of the Indian Penal Code and Section 27 of
the Arms Act.

Learned counsel for the petitioner submitted that the
allegation made in the FIR against the petitioner that she caught
hold of the informant when her husband opened fire is baseless
and unbelievable. If the petitioner was having any affair with
the informant, she would have tried to screen him and not to
catch hold of him in order to facilitate her husband to open
fire and kill him. He contended that the petitioner is a home
maker having no criminal antecedent and her name has been



dragged unnecessarily in the case in order to teach her husband a lesson for any act of overtact which he might have committed against the informant.

Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioner. He submitted that the petitioner is alleged to have caught hold of the informant when her husband opened fire.

Having considered the facts and circumstances of the case and the submissions made above, since the main allegation of opening fire is against the husband of the petitioner, in the event of arrest or surrender before the court below, she is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in Bathnaha P. S. Case No. 236 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

kanchan/-

U		T	
---	--	---	--

