

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5943 of 2020**

Arising Out of PS. Case No.-793 Year-2018 Thana- BIHTA District- Patna

=====

PHOOL KUMARI DEVI Wife of Awadhesh Kumar Resident of Village-
Bechu tola, Police Station-Bihta, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 03-07-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Bihta P.S. Case No. 793 of 2018 registered under offences punishable under Sections 147, 148, 149, 448 and 302 of the Indian Penal Code and 27 of Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case being a lady member of the family of the co-sharer. Learned counsel submits that there is no specific allegation of committing any overt act against the petitioner.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.



Having regard to the facts and circumstances of the case wherein, it is submitted that this petitioner has been falsely implicated in this case being a lady member of the family of the co-sharer who allegedly entered in the house of the informant and had raised a dispute over receipt of the entire pension amount of the mother of the informant and his submission that the specific allegation of opening fire is against Awadesh Kumar and Manu Kumar and the petitioner has been implicated saying that she had caught her mother-in-law who died because of the firing of the co-accused Manu Kumar, in the nature of the dispute and there being no specific allegation of committing any overt act against this petitioner, the petitioner being a lady of the co-sharer family and there being no submission that granting anticipatory bail to the petitioner is in any way likely to come in the way of investigation, let the petitioner above named in the event of her arrest or surrender within a period of four weeks from today in connection with Bihta P.S. Case No. 793 of 2018 be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Danapur (Patna), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

