

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10403 of 2020

Arising Out of PS. Case No.-681 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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PRABHAWATI DEVI Wife of Late Prabhu Sharma Resident of Village -
Kalibag, P.S.- Bettiah Town (Kalibag O.P.), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 29-02-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Bettiah
Town (Kalibag O.P.) P.S. Case No. 681 of 2019, disclosing
offences punishable under Section 302/34 of the Indian Penal
Code.

There is an allegation in the F.I.R. against the co-
accused Ram Babu Sharma and two others of having shot at the
informant's brother, leading to his death. The petitioner is
mother of the said Ram Babu Sharma and it is alleged in the
F.I.R. that after he had shot at the deceased, the petitioner had
commanded her to repeat the shots to ensure his death.

Learned counsel appearing on behalf of the petitioner
has submitted that at the maximum the petitioner can be said to



be an order giver that too after the informant's brother was already shot at. The petitioner has been implicated because she is mother of the main accused. She also contends, referring to the contents of the F.I.R. that it was because of dispute between the parties relating to construction of a pathway, over a lane that the occurrence had taken place.

Considering the nature of allegation against the petitioner, this application is allowed.

Let the petitioner above named be released on bail furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town (Kalibag O.P.) P.S. Case No. 681 of 2019.

(Chakradhari Sharan Singh, J)

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