

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26302 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- BARAUNI District- Begusarai

=====

AHILIYA DEVI Wife of Sukhdev Sah Resident of Village - Ninga, P.S.-
Barauni, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ram Sevak Choudhary
For the Opposite Party/s	:	Mr.A. L. Pandit
For the informant	:	Mr. Suman Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-12-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

This application, for grant of anticipatory bail, arises
out of Barauni Police Station Case No. 02 of 2020, registered
for the offences punishable under Sections 302/120-B of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation, as per the First Information Report, is
that the nephew (Bhagina) of the informant was having love
affairs with the daughter of the petitioner and the petitioner and
other accused persons had threatened the nephew of the
informant that they would kill him and on 31.12.2019, when the
nephew of the informant had gone to market, he did not return



and on the next day, his dead body was found riddled with bullets on his chest.

Learned Counsel for the petitioner submits that the petitioner along with entire family members have been falsely implicated in this case inasmuch as from perusal of the First Information Report, it would be evident that there was love affairs between the daughter of the petitioner and the nephew of the informant, but subsequently, the daughter of the petitioner was married with some other boy and as such there was no occasion for the petitioner and her family members to threaten and kill the nephew of the informant. He further submits that there is no eye-witness to the occurrence and no overt act has been attributed to the petitioner in the First Information Report. He further submits that in course of investigation, no cogent material has come against the petitioner and the petitioner is a lady member of the family and the husband of the petitioner has been granted regular bail by this Court, vide order passed in Criminal Misc. No. 22621 of 2020.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is a lady, I am inclined to grant the petitioner privilege of anticipatory bail.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, in the event of her arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Barauni Police Station Case No. 02 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

