

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67542 of 2019

Arising Out of PS. Case No.-596 Year-2019 Thana- MADHAURAH District- Saran

MEENA ARUN, aged about 44 years, Female, W/o Arun Singh, Resident of
Village - Awari, P.S.- Marhaura, Distt.- Saran at Chapra ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner	:	Mr. P.K. Shahi, Sr. Adv. with Mr. Vipin Kumar Singh, Adv.
For the State	:	Mr. Dr.Mrityunjaya Kr.Gautam, APP
For the Informant	:	Mr. Y.V. Giri, Sr. Adv. with Mr. Udai Shankar Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 17-02-2020 Heard Mr. P.K. Shahi, learned Senior Counsel,
assisted by Mr. Vipin Kumar Singh, learned counsel appearing
for the petitioner, Mr. Y.V. Giri, learned Senior Counsel, assisted
by Mr. Udai Shankar Singh, learned counsel appearing for the
informant and learned Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Marhaura
P.S. Case No. 596 of 2019, registered under Sections 147, 148,
149, 323, 325, 326, 379, 332, 333, 307, 302, 504 and 120(b) of
the Indian Penal Code and 25(1-b)a, 26, 35 and 27 of the Arms
Act.

The accusation is that informant, Vikas Kumar Singh,
being the Assistant Sub-Inspector of Police of Special
Investigating Team, along with Assistant Sub-Inspector,
Mithilesh Kumar Singh, Constable Rajnish Kumar, Constable



Farooque Alam, Constable Rajat Kumar and Constable Jitendra Kumar proceeded from Chapra to Marhaura Police Station there at 04.30 p.m. and talked with Officer-in-Charge of Marhaura Police Station regarding Garkha P.S. Case No. 512 of 2019 in respect to loot of mobile which was being used and, thereafter, proceeded for Chapra and reached at about 06.20 p.m. at Marhaura Market in front of L.I.C. office. In the meantime, one white colour Scorpio came with 8 to 9 persons having rifle, revolver and pistol. At that time, 4 to 5 motorcycles also reached there on which 7 to 8 persons were boarding. All of a sudden, all get down from the Scorpio and motorcycle with fire arms. At that time, one person asked to kill Assistant Sub-Inspector of Police, Mithilesh Kumar Singh, and, thereafter, all started to cause assault through butt of pistol and rifle to Mithilesh Kumar Singh, Constable Farooque, Constable Rajnish, Constable Jitendra and Constable Ranjan. At that time, 3 to 4 started firing while police party also tried to open fire in counter, but, due to much number of the miscreants, police could not succeed in counter firing. At that time, miscreants looted the pistols of Mithilesh Kumar Singh and Rajnish and AK-47 rifle of Farooque Alam. At that time, his pistol fell down in the water. Anyhow, the informant escaped and informed to



senior officials on phone. At that time, Abhishek Singh, Subodh Singh, Rohit Singh, Pawan Singh and Raju Singh were identified out of the miscreants. It is, further, alleged by the informant that before 1½ years in a case of dacoity of Rasoolpur Police Station, Rohit Kumar, Bodyguard of Meena Arun (petitioner) and her husband, Arun Singh, was apprehended and sent to jail, due to that reason, under conspiracy, Arun Singh and his wife, Meena Arun (petitioner), Chairman of the Zila Parishad, Chapra in-collusion with nephew, Subodh Singh, and other miscreants, made conspiracy about occurrence. After occurrence, one revolver and a rod meant for cleaning the barrel of AK-47 rifle recovered. In the occurrence, Assistant Sub-Inspector of Police, Mithilesh Kumar Singh, and Constable, Farooque Alam, died.

Learned Senior Counsel appearing on behalf of the petitioner submits that the petitioner, who is the Chairman of the Zila Parishad, Chapra, has falsely been implicated in this case as her nephew, Subodh Singh, is named in the first information report, along with other accused with specific allegation of causing assault to deceased and other injured. Further submission is that after the occurrence police reached at the joint family house of the petitioner and seized her licensee



revolver from there and planted the recovery of same at the place of occurrence. Further, submission is that the petitioner is a lady and is in custody since 26.08.2019 and on investigation the police has already submitted the charge sheet.

On the other hand, Mr. Y.V. Giri, learned Senior Counsel, assisted by Mr. Udain Shankar Singh, learned counsel for the informant, submits that it would appear from the confessional statement of co-accused, Shatrughan, as detailed in paragraph 88 of the case diary that the petitioner, being the lady, was one of the conspirator of the occurrence. He, further, submits that in paragraph 299 of the case diary it has come that before and after the occurrence, the petitioner talked to her nephew, Subodh Singh, named in the first information report and other accused. Further, submission is that it has come in paragraph 132(6) of the case diary that in the footage of the close circuit television camera, the petitioner was seen entering in her house along with her Bodyguard, situated at Marhaura, near the place of occurrence, just after the occurrence.

Having regard to the facts and circumstances of the case and the period of custody, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each



in connection with Marhaura P.S. Case No. 596 of 2019 to the
satisfaction of the Chief Judicial Magistrate, Saran at Chapra.

(Rajendra Kumar Mishra, J)

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