

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81704 of 2019

Arising Out of PS. Case No.-964 Year-2019 Thana- SAHARSA District- Saharsa

DEEPA DEVI, W/o Sanoj Yadav Resident of Refugee Colony, Ward No.06,
P.S.- Sadar Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Narendra Kumar Singh

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

ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends her arrest in connection
with Saharsa P.S. Case no. 964 of 2019, registered under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that on receiving secret
information about keeping of arms and ammunition by Sanoj
Yadav in his house in village – Refugee colony, P.S. Sadar,
District-Saharsa, the informant along with other Police
Personnel reached near the house of Sanoj Yadav. On seeing
the Police party, one person tried to flee away, but, on chase, he
was apprehended, who disclosed his name Sanoj Yadav. On
search, two pistols each containing magazine with ten live
cartridges recovered. On search of jacket, one magazine and 32
live cartridges were also recovered. Thereafter, informant and
other Police personnel reached in his bedroom then a lady was
seen there wearing nighty, who, on seeing the Police party,



started fleeing, while Police personnel tried to apprehend her, but, she succeeded to flee away taking advantage of narrow road after throwing a black colour bag. On search of bag, two country made pistol, one Pen pistol and four live cartridges recovered. Sanoj Yadav, on query, disclosed that the lady, who succeeded to flee away is his wife Deepa Devi (Petitioner).

Learned counsel for the petitioner submits that, admittedly, the petitioner is the wife of co-accused Sanoj Yadav, who is said to be apprehended on the spot due to that reason, she has falsely been implicated in this case. Further submission is that, in fact, at the time of occurrence, the petitioner had gone to her Myaka. The petitioner, who is lady, has no criminal antecedent and no incriminating materials have been recovered from her possession.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on 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, Saharsa in connection with Saharsa P.S. Case No. 964 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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