

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.943 of 2020

Arising Out of PS. Case No.-291 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

1. PANMATI DEVI W/o Rama Kharwar Resident of Village - Barhan Gopal, P.S.- Siwan Muffasil, Distt.- Siwan.
2. Rama Kharwar Son of Late Chana Mahto Resident of Village - Barhan Gopal, P.S.- Siwan Muffasil, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

It is submitted on behalf of the petitioner No. 2 that during pendency of this application, petitioner No. 2 has been arrested. Hence, this application as against petitioner No. 2 namely, Rama Kharwar has become infructuous.

Accordingly, this petition with regard to petitioner No. 2 is dismissed as infructuous.

Heard learned counsel for the petitioner No. 1 and learned APP for the State.



The petitioner No. 1 is apprehending her arrest in a case registered under Sections 302, 201/34 of the Indian Penal Code.

Allegedly, the daughter of the informant, namely Rukhsana was taken away by the accused persons from her home and thereafter, her dead body was found beside the hut of Hasmuddin Mian.

It has been submitted on behalf of the petitioner that the petitioner No. 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No. 1. The petitioner No. 1 is a lady. General and omnibus allegation has been made against the petitioner. The specific allegation is against co-accused Kundan Kharwar and Sushil Kharwar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner No. 1 in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner No. 1, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of



learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No. 291 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner No. 1 shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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