

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12763 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- BIHARIGANJ District- Madhepura

NABITA DEVI Wife of Kailash Sharma Resident of Village- Saroni, Ward No.11, P.S.- Bihariganj, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2021 Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioner is apprehending her arrest in a case registered under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case, in short, is that one loaded pistol along with 6 live cartridges and one weapon making machine are recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the



present case. It is alleged that one loaded pistol along with 6 live cartridges are recovered from the co-accused. The petitioner happens to be wife of the co-accused. Hence, her name has been included in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 83 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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