

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24187 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- BAUSI District- Araria

BIBHA DEVI @ VIBHA DEVI, wife of Shashi Yadav, Daughter of Narayan Bishwas, Resident of Village- Basaithi, P.S. - Bounsi, Dist. - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 08-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 341, 323, 326, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case in brief is that on 10.01.2020, the father of the informant was on his shop and 4-5 persons riding on 2-3 motorcycle came and called on the road his father and open fire. The father of the informant tried to flee away thereafter the miscreants again fired once- twice which touch the back of his father and the miscreants were managed to escape by Basaithi Market. On hulla the villagers and the informant reached their and brought his father to Max Hospital,



Purnea for treatment. In the way father of the informant informed that he identified one Shashi Yadav among the miscreants who committed present occurrence with the help of his associates. The reason behind the occurrence is land dispute going on with the uncle of the informant and accused Shashi Yadav and his wife Bibha Devi several times threatened his family to vacate the house and also threatened to kill them. The informant also alleged that Bibha Devi has also lodged false case against them and further alleged that Bibha Devi with the help of her husband and his associates committed this occurrence under conspiracy.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is land dispute between the parties. There is specific allegation against the co-accused namely Shashi Yadav who fired upon the victim.

Learned APP for the State opposes the prayer for bail of the petitioner.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory



bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Araria in connection with Baunsi P. S. Case No. 07 of 2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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