

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32784 of 2020

Arising Out of PS. Case No.-77 Year-2019 Thana- FULKAHA District- Araria

BABY DEVI @ BEBI DEVI (F) wife of Bipin Yadav, R/o- Achra, P.S.
Falukaha, Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 27.08.2020 in connection with Fulkaha P.S. Case No. 77/2019 registered for the offences punishable under Sections 147/148/149/341/323/342/324/ 307/211/212/224/225/332/333/379/353/435/504 of the Indian Penal Code, Section 45 of the Bihar Prohibition and Excise Act, 2016 and Sections 3(i)(r) of the prevention of Atrocities Act.

As per the prosecution case, when the informant along with police party conducted a raid in search of accused, this petitioner along with other accused assaulted police party and co-accused Bipin Yadav released from the police custody.

It is submitted that petitioner is lady and has been falsely implicated in this case because she is wife of co-accused Bipin Yadav who is alleged to have fled away from the custody



of police. It is further submitted that petitioner is lady and she has been in custody since 27.08.2020 having no criminal antecedent as stated in paragraph No. 3 of the petition.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned 2nd Additional Sessions Judge cum Spl. Judge (Excuse Act), Araria, in connection with Fulkaha (Araria) P.S. Case No. 77/2019, subject to following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on her absence on two consecutive dates without sufficient reason, her bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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