

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8647 of 2021

Arising Out of PS. Case No.-164 Year-2019 Thana- SURYAPUR District- Rohtas

Chinta Devi, (Female), aged about 20 years, Wife of Lal Bihari Yadav,
Resident of Village - Unwas, P.S. -Itadhi, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Surendra Kumar Mishra, Advocate.
For the Informant	:	Mr. Dhaneshwar Prasad, Advocate.
For the State	:	Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-08-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State through Virtual mode.

The petitioner is apprehending her arrest in connection with Suryapura P.S. Case No. 164 of 2019, for the offence registered under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that nine persons including the neighbour of the informant attacked upon the informant, namely, Bipin Bihari Singh, on the issue of cow



placing. It is alleged that the petitioner brought a country made pistol and handed it over to co-accused, namely, Hanuman Yadav, who eventually opened fire resulting in serious injury to Rajesh Kumar Singh.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. She has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that the petitioner provided a country made pistol to co-accused Hanuman Yadav after that Hanuman Yadav fired upon the informant. The allegation of assault is against co-accused, namely, Hanuman Yadav. There is no allegation of assault against the petitioner. The name of the petitioner does not appear in the column of accused of the F.I.R. The petitioner is a lady.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her



personal bond to the satisfaction of the learned Judicial Magistrate Ist Class, Bikramganj, Rohtas, in connection with Suryapura P.S. Case No. 164 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 shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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