

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28391 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- DHANSOI District- Buxar

Malti Devi @ Manti Devi Wife of Dinesh Sharma Resident of Village -
Shyampur Mahania, P.S.- Dhansoi, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rang Nath Choubey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and the learned
APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with
Dhansaoi P.S. Case No.33 of 2022 instituted under Sections 25(1-
B)a, 26(1-a), 26(1),25(1-A), 25(1-AA), 26(2), 35 of the Arms Act.

As per the allegation in the FIR, the police upon
information, raided a hut and it is alleged that cache of
arms/materials were recovered/seized.

Learned counsel for the petitioner submits that for the said
alleged recovery, the entire family members have been roped in the
matter and she being a lady has been taken into judicial custody since
17.02.2022 (as stated in para-7 of the bail application). He further
submits that only the mother-in-law who is 75 years old and present
in the hut has not been implicated/arrested.



Considering the fact that the petitioner is a lady, is in custody since 17.02.2022 and the charge-sheet stands submitted, this Court is inclined to grant her privilege of bail in the backdrop of the fact that she has no criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Dhansaoi P.S. Case No.33 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Buxar, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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