

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35818 of 2022

Arising Out of PS. Case No.-283 Year-2021 Thana- SAHAYAK NAGAR District- Katihar

USHA DEVI WIFE OF LATE PRITHWI CHANDRA YADAV R/O
MOHALLA- BARMASIA, P.S.- SAHAYAK, DIST.- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 302, 120(b) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and the informant alleges that her son (deceased) was called by Ranjeet, thereafter he was taken away to Maithil Chowk, when informant also followed them from behind, it is further alleged that at the place of occurrence all the accused persons, named in the FIR including the petitioner, surrounded his son Rahul and at the instance of this petitioner Vishal Yadav fired at his son causing his death on way of Silliguri.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner is mother of Vishal who is alleged to have fired at the son of the informant leading to his death, it is next submitted that from bare perusal of allegation as alleged in the FIR, it would manifest that no motive for occurrence has been alleged and it does not stand to reason that as to why the mother would ask her own son to kill and get implicated when informant, as alleged, was following his son and Ranjeet from behind and thus would create evidence against herself, it is next submitted that the petitioner along with her family members have been falsely implicated only for the reason that they are related to Vishal.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a woman, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned



trial court where the case is pending/successor court in connection with Town (Sahayak) P.S. Case No. 283 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

