

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37425 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- BALRAMPUR District- Katihar

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Roshan Khatoon Wife Of Kaushar R/O- Vill- Madhepur, P.S.- Balrampur
(Telta OP), Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Balrampur P.S. Case No. 26 of 2022 lodged under Sections
25(1-b)a, 26, 35 of the Arms Act.

As per the prosecution case, the present case has been
filed against 2 accused persons from whom recovery of arms
with live cartridges alleged to be made.

Learned counsel for the petitioner submits that
petitioner is female and innocent and has committed no offence.
It has been submitted by him that she has been made accused in
this case only and only due to the reason that her brother Md.

Reyaz Alam is an accused in Balia Belon P.S. Case No. 11 of 2022 dated 02.02.2022 and only due to this reason, she has been made accused in this case.

It has been further submitted that the house in which recovery has been shown from her possession is joint house of the petitioner and her brother. Learned counsel for the petitioner submits that petitioner is in custody since 14.02.2022 having one criminal antecedent against her in which she is accused and on bail in the said case. Charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, her bail application has been rejected.

Liberty is hereby granted to the petitioner to move for bail application 3 months after framing of charge. The Trial Court is directed to release the petitioner on bail imposing its own conditions so that petitioner may not evade from trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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