

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48308 of 2021

Arising Out of PS. Case No.-181 Year-2021 Thana- TEKARI District- Gaya

1. BIMLA DEVI Wife of Nandlal Sharma Resident of Village - Ghanghaila, P.S.- Tekari (Mau O.P.), District - Gaya
2. Pritu Kumari Wife of Tannu Sharma @ Abhishek Sharma Resident of Village - Ghanghaila, P.S.- Tekari (Mau O.P.), District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Ajay Kumar Thakur, Shivam, Advocates
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP
For the Informant	:	Mr. Shivendra Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code and sections 25(1-B)(a), 26 and 27 of the Arms Act .

As per the prosecution case, it is stated that the six named accused persons came armed and surrounded the brother of the informant. Thereafter, the two petitioners herein reached there and started to abuse. The petitioner no. 2 got a rifle from the house and handed it over to her husband and asked him to shoot. It is further stated that Tannu Sharma @ Abhishek



Sharma shot the brother of the informant with the rifle. Thereafter, all the accused persons started indiscriminate firing. The brother of the informant died in the occurrence.

It is submitted by learned counsel for the petitioners that the petitioners who are ladies have been falsely implicated in the case. No overt act has been alleged against them in the FIR. They are in custody since 24.4.2021 and have no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioners are named in the FIR but from perusal of the FIR it would transpire that they actively participated in the occurrence in so far as it was the petitioner no. 2 who provided the weapon to the main assailant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the allegations against the petitioners, the period of 9 months in custody and the chargesheet having been submitted in the case, the two petitioners are directed to be enlarged on bail in connection with Tekari (Mau O.P.) P.S. Case no. 181 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the
satisfaction of the learned Judicial Magistrate 1st Class, Gaya.

(Partha Sarthy, J)

Spd/-

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