

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55019 of 2021

Arising Out of PS. Case No.-99 Year-2021 Thana- DERNI BAZAR District- Saran

PHOOLENA DEVI W/O LALU RAM R/o village- Mahesh Chapra, P.S.-
Maker, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with Derni
PS Case No. 99 of 2021 registered under Sections 302 / 34 of
the IPC, Section 27 of the Arms Act and Section 17 of the
C.L.A. Act.

The allegation in nutshell is that on 25-06-2021 at
about 7.00 A.M. the father of the informant proceeded from his
house and reached at his brick kiln and at about 11.000 A.M.
three unknown persons came on a motorcycle and demanded
extortion money and the father of the informant told them that
due to lockdown extortion amount could not be paid. Thereafter
accused persons fired upon his father and literature / pamphlet
relating to “Naxal” was thrown at the place of occurrence.



Learned counsel for the petitioner submits that petitioner is a lady and has falsely been implicated in this case on the basis of her self inculpatory confessional statement recorded by the Police in which she has merely said that the co-accused /Agindev Ram was related to the *sasural* of her daughter due to which he used to come to her house. He next submits that even from perusal of the FIR it would be evident that three persons had arrived at the place of occurrence on a motorcycle and the petitioner had never visited at the place of occurrence. The petitioner is in custody since 29-06-2021 having no criminal antecedent.

Regard being had to the submissions made by the parties, taking into consideration the material on record, the fact that petitioner has got no criminal antecedent, she is in custody since 29/06/2021, no incriminating article and or / pamphlet relating to *naxal* literature has been recovered from possession of the petitioner, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000 /- (twenty thousand) with two sureties of the like amount each to the satisfaction of Mr. Sushant Sagar, Judicial Magistrate 1st Class,



Saran at Chapra in connection with Derni PS Case No. 99 of
2021.

(Anil Kumar Sinha, J)

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