

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60187 of 2021

Arising Out of PS. Case No.-291 Year-2021 Thana- ALOULI District- Khagaria

SANTOSHI DEVI W/o Premchandra Yadav Resident of Village - Badi Smraha, P.s.- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udbhav, Adv.

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard.

The petitioner seeks regular bail in connection with Alauli P.S. Case No. 291 of 2021, registered for the offence punishable under sections 307, 506,34 and other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having arrived at the door of the house of the informant where some quarrel had taken place on account of the accused persons having prevented the informant from removing the cow dung lying on the way, beside the house of the petitioner. It is alleged that thereafter, the petitioner is stated to



have told the accused persons to shoot the informant and then the co-accused persons namely Ravi kant Kumar and Shashi kant Kumar had caught the nephew of the informant while another co-accused person namely Prem chandra Yadav had shot him on the head, resulting in him receiving injury.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 03.08.2021. The learned counsel for the petitioner has submitted that a bare perusal of the FIR would show that the petitioner at best can be stated to be an order giver, however, the injured person has been shot upon by the co-accused person namely Prem Chandra Yadav and not the petitioner herein. It is further submitted that the nephew of the informant is alive and is hale and hearty.

Per contra, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and



circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the petitioner has not been alleged to have fired gun shots on the injured nephew of the informant apart from the fact that he is languishing in custody since about 7 months, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned of C.J.M., Khagaria in connection with Alauli P.S. Case No. 291 of 2021.

(Mohit Kumar Shah, J)

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