

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52704 of 2022

Arising Out of PS. Case No.-345 Year-2017 Thana- HUSSAINGANJ District- Siwan

Babita Devi Wife Of Late Ashok Sah, D/O Bramhdeo Sah R/O Village-
Rashid Choak, P.S.- Hussainganj, Dist.- Siwan (BIHAR), Pin Code- 841226

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 328, 302,
34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no eye witness to the occurrence
and only on the basis of suspicion, petitioner has been made
accused in this case. He submits that there is no specific overt
act against the petitioner. He submits that there is general and
omnibus allegation levelled against the petitioner. He submits
that similarly situated co-accused has already been granted bail



by a Bench of this Court vide order dated 25.04.2019 passed in Cr. Misc. No. 48857 of 2018. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hussainganj P.S. Case No. 345 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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