

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71679 of 2021

Arising Out of PS. Case No.-206 Year-2021 Thana- MANIHARI District- Katihar

1. BABITA DEVI Wife of Saheb Yadav Resident of Village- Mirjapur, P.S.- Manihari, District- Katihar
2. Manju Devi W/o Ram Niwash Yadav Resident of Village- Mirjapur, Police Station- Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-06-2022 Heard learned counsel for the parties.

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 section 27 of the Arms Act.

As per the prosecution case, on the orders of Saheb Yadav, it is stated that Bipin Yadav and Ram Niwas Yadav fired on the uncle of the informant as a result of which he died. It is further stated that these petitioners also threatened the informant and others.

It is submitted by learned counsel for the petitioners that the petitioners who are ladies have been falsely implicated



in the case. From perusal of the F.I.R. itself, it would transpire that no overt act has been alleged against them. The allegation as per the F.I.R. is against Bipin Yadav and Ram Niwas Yadav while Saheb Yadav is alleged as order giver. The petitioners are in custody since 20.9.2021 and chargesheet has been submitted in the case. They have no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegation against the two petitioners in the F.I.R., no overt act having been alleged against them, they having remained in custody for 8 months and investigation in the case having concluded, the Court directs both the petitioners to be enlarged on bail in connection with Manihari P.S. Case no.206 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 Chief Judicial Magistrate, Katihar.

(Partha Sarthy, J)

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