

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5026 of 2023

Arising Out of PS. Case No.-375 Year-2022 Thana- BARHARA KOTHI District- Purnia

Nutan Devi @ Lutan Devi Wife Of Mantu Ram R/V- Hanuman Nagar, Ward
No. 11, P.S.- Barahara (Raghuvansh Nagar), District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 302 and
120B of the Indian Penal Code.

Allegation against the petitioner that the petitioner
was roaming in the varandah of the informant and when she left
other co-accused persons came at her house and asked about
Rajendra. It is further alleged that the petitioner along with other
co-accused, with common intention, murdered her father-in-law
due to land dispute.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.



He submits that earlier the petitioner has filed a case i.e. Barahara P.S. Case No. 17/2021 under Section 364, 302, 120B/34, 201 of the Indian Penal Code against husband of the present informant and other family members and to take revenge the present case has been filed by the informant. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Barahara P.S. Case No. 375 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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