

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8409 of 2023

Arising Out of PS. Case No.-196 Year-2022 Thana- AAJAM NAGAR District- Katihar

Lakhi Devi Wife Of Suresh Yadav R/V- Dhena, P.S- Azamnagar, Dist- Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in connection with Azamnagar P.S. Case No. 196 of 2022 registered for the offence punishable under Sections 302 and 120(B)/34 of the I.P.C. AND Section 27 of Arms Act.

As per allegation in the FIR, while the informant and her husband were returning from temple, on way two miscreants intercepted them and fired from their pistol which hit on the abdomen of the informant's husband. It is further alleged that prior to this occurrence, the accused persons had also attacked the



brother-in-law of the informant but somehow he saved his life.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. During investigation, no specific materials were found against the petitioner to show his involvement in the commission of murder of the informant's husband. It is also submitted that the informant is the eye witness of the occurrence but she did not claim that petitioner was present at the place of occurrence. The petitioner was not named in the F.I.R. and his name sprang up on the basis of her self confessional statement. Moreover, the petitioner is languishing in judicial custody since 25.07.2022. Similarly situated co-accused, namely, Suresh Yadav has been granted bail vide order dated 03.04.2023, passed in Cr. Misc. No. 3074 of 2923 by this Court.

The application for bail is opposed by learned APP for the State.



Having heard learned counsel for the parties and considering the facts and circumstances of the case, period under custody as well as considering the fact that petitioner is lady, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-V, Katihar in connection with Azamnagar P.S. Case No. 196 of 2022.

(Sunil Kumar Panwar, J)

Nirajkrs/ Lata

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