

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16656 of 2023

Arising Out of PS. Case No.-313 Year-2022 Thana- KALYANPUR District- Samastipur

PRIYANKA KUMARI WIFE OF VIJAY KUMAR ROY, D/O BIRENDRA
ROY R/O VILLAGE- BANKIPUR, P.S.- KALYANPUR, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Bhanu Roy, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Sessions Case No. 101 of

2023 arising out of Kalyanpur P.S. Case No. 313 of 2022 dated

07.10.2022 registered for the offences punishable under sections

302, 102B read with section 34 of the Indian Penal Code and 27

Arms Act.

As per the prosecution case, three unknown

miscreants boarded on motorcycle came to the house of the



informant and one of the miscreants called the informant's son Lal Babu to come out from his house. When he came out, the aforesaid miscreants started firing indiscriminately on Lal Babu and due to which he fell down. Thereafter the injured was taken to Primary health centre, Kalyanpur where the doctor declared him dead.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Amit Kumar. Learned counsel has further submitted that the reason behind the occurrence is stated to be illicit relationship of the petitioner with the co-accused Amit Kumar. Charge-sheet has already been submitted. The petitioner is a lady. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.10.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody and the petitioner being lady, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty



Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Session Case No. 101 of 2023 arising out of Kalyanpur P.S. Case No. 313 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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