

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33619 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- PHULWARISHARIF District- Patna

FAHMIDA KHATOON W/O MD. KALLU R/O Mohalla- Murgia Tola,
Isopur, P.S- Phulwarisharif, Distt.- Patna, Presently residing at Kayam Nagar,
P.S- Gidha, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 411, 412, 413, 414, 34 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of Arms Act.

3. As per FIR, prosecution case relates to recovery of three live cartridges along with some jewelery which are alleged to have stolen property.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is mother of Md. Nehal who is involved in criminal activities and due to which the petitioner has falsely been



implicated in this case. The petitioner has no concern with the alleged arms which were seized by the police and so far as seized jewellery are concerned, the same was not identified properly. There is also no evidence regarding the seized articles that these are looted. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, the petitioner is a lady and languishing in judicial custody since 9.1.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulwarisarif P.S. Case No. 28 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIV, Patna.

(Sunil Kumar Panwar, J)

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