

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33677 of 2023

Arising Out of PS. Case No.-346 Year-2022 Thana- BUDDHACOLONY District- Patna

Alpana Mishra Wife Of Ashutosh Resident Of Rz-F-41a/26, Gali No. 41a,
Sadh Nagar Part - 2, Palam Colony, Palam Village S.O. South West Delhi,
Delhi Pin - 110045

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Pd Singh No.1

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case registered for the offence punishable under Section 306 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case is that on 01.08.2022, the informant received an information from Buddha Colony P.S. as his brother has committed suicide by shooting himself. On information, he reached with his villagers to P.M.C.H. where he learnt that his elder brother had committed suicide by shooting himself in his office from where his elder brother's suicide note was allegedly found, in which he said to have mentioned that he is being threatened and tortured by the petitioner and her husband.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the deceased has offered husband of the petitioner to provide a plot in Patna who was also desirous to purchase the same in capital town of his home, in that course, her husband has paid Rs. 14,50,000/- to the deceased for purchasing the plot in Patna by cash and also by transferring the amount in the account of the deceased. He submits that the deceased neither provided the plot nor returned the amount to the husband of the petitioner despite assurance, then husband of the petitioner has submitted a complaint to the Buddha Colony police station. Upon the said complaint, the Buddha Colony P.S. called the deceased and the husband of the petitioner in police station and in presence of the O/c Buddha Colony P.s., the deceased admitted that the amount taken from the husband of the petitioner and he agreed to pay only principal amount in three installments through postdated cheques. He submits that the Dy. S.P. supervised the case and opined that there is no evidence found against the petitioner or her husband. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer



for bail.

6. Considering the facts and circumstances of the case and the fact that the petitioner is the female and no evidence has been found against her, let the above named petitioner in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Buddha Colony P.S. Case No. 346 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

