

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35747 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- PATNA CITY CHOWK District- Patna

SUMAN DEVI W/O SRI JAYKANT RAI R/O Heeranand Shah Ki Gali, P.S-
Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 302, 120(b), 386 and 201/34 of the Indian Penal Code as well as Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner is a woman and has antecedent of ten cases. It is further submitted that out of ten cases, nine cases are of the Excise Act.

The informant alleges that Rohit Kumar and Ranjit Kumar shot Pramod Kumar Bagla who died. It is further submitted that during course of investigation name of this petitioner transpired in confessional statement of Monu Patel that petitioner had conspired with the accused for killing of



Pramod Kumar Bagla for an amount of Rs.5 lakhs as he was interfering in her trade of liquor.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and is a women and has been implicated in the case based on confessional statement of Monu Patel in police custody which does not have any evidentiary value in the eye of law. It is further submitted that the informant did not name the petitioner in the FIR but subsequently in his re-statement he disclosed her name which according to the learned counsel for the petitioner is by way of afterthought. It is next submitted that petitioner will not abscond rather will cooperate in the investigation and will present herself as and when required by the investigating officer of this case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 P.T. No. 1285 of 2022 arising out of Chauk P.S. Case No. 149 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

In the event, if any application is filed by the investigating officer before the learned District Court that petitioner despite giving assurance to this Court that she will be cooperating in the investigation and will present herself as and when required, does not present herself or does not cooperate in the investigation then in that event the learned District Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

Let a copy of this order be communicated to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

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