

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38603 of 2023

Arising Out of PS. Case No.-157 Year-2011 Thana- PANCHRUKHI District- Siwan

FIKA DEVI wife of Manoj Tiwari Village- Bharatpura Ps- GB Nagar Dist-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 364/34 of the Indian Penal Code and later on cognizance has been taken under Sections 363, 328 of the Indian Penal Code against the petitioner.

3. The allegation against this petitioner is that the petitioner along with one other accused person made the informant's son disappeared or killed him.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. She has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather



general and omnibus in nature. Petitioner has no concern with the alleged occurrence. It is further submitted that during course of investigation, the police submitted final form against the petitioner, but the learned Court below differing from final form took cognizance against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the final form has been submitted against this petitioner, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, 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 Pachrukhi (G.B. Nagar) P.S. Case No. 157 of 2011, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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