

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55772 of 2023

Arising Out of PS. Case No.-397 Year-2023 Thana- PATRAKARNAGAR District- Patna

Jiya Devi Son Of Akash Oja @SANNI Kumar Resident Of Village- Danapur
Kathautiya, Ps- Maner Distt- Patna A/P Residing At New Dashartha, 70 Feet
Link Road 20 Feet Adarsh Nagar Road No. 14, Ps- Beur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 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 401, 411,
413 and 414 of the Indian Penal Code and Sections 25(1-b)a/26
of the Arms Act.

3. Prosecution case relates to recovery of one pistol
and 7 live cartridges from the possession of co-accused person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. She has
falsely been implicated in this case merely on suspicion. The
petitioner is not named in FIR rather her name came into light in
this case on the basis of confessional statement of apprehended



co-accused person, namely, Akash Ojha before the police which has got no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner and also she has not been put on TIP as yet. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, she is languishing in judicial custody since 02.06.2023.

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 Patrakarnagar P.S. Case No. 397 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 Judicial Magistrate, Patna.

(Sunil Kumar Panwar, J)

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