

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56062 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- KARAI PARSURAI District- Nalanda

MEENA DEVI @ MONA DEVI @ MEENA KUMARI WIFE OF
DHARAMVIR GOPE @ DHARMVIR KUMAR RESIDENT OF VILLAGE-
NESHRA, PS- KARAI PARSURAI, DIST- NALANDA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Karaiparsurai P.S. Case No. 24 of 2022 registered under Sections 147, 148, 149, 341, 323, 385, 302, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act lodged on 18.03.2022 by the informant, Satish Kumar.

As per the prosecution story, the allegation is that the accused persons after abusing the informant, wanted Rs. 25,000/- and upon the husband showing inability, it is alleged that this petitioner provided pistol to her husband, who opened fire causing injury in the right side of the ear. He was rushed to the PMCH where he was declared dead. Accordingly, the FIR.



It is the case of the petitioner that a case and counter case are there. The petitioner's husband also sustained injury and in the process of scuffle, the gun shot injury was received by the informant's husband which proved fatal. In any case, the allegation of opening of fire is on her husband, Dharamvir Gope.

Learned APP for the State opposes the prayer for bail stating that she was the person, who provided pistol to her husband.

Taking into account the allegation of firing is on the husband, there is case and counter case between the parties, she is in custody since 19.04.2023 and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Hilsa, Nalanda in connection with Karaiparsurai P.S. Case No. 24 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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