

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62456 of 2022

Arising Out of PS. Case No.-203 Year-2020 Thana- MURLIGANJ District- Madhepura

Nilam Kumari @ Nigam Kumari W/O Late Bijay Kumar Yadav Resident of
village- Dwarika Tola, P.S.- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 28-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Murliganj P.S. Case No. 203 of 2020 registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant's son was shot dead by one Bittu Yadav and his associates.

The main submissions advanced by learned counsel for the petitioner are that as per FIR the main allegation of causing firearm injury to the deceased is against co-accused Bittu Yadav

and his companion co-accused Mithun Yadav has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 20456/2021 and the petitioner is not named in the FIR and she is a lady and has been languishing in jail since 29.03.2021.

Learned APP for the State has opposed the bail prayer.

Considering the aforesaid facts and mainly the facts that the main allegation of firing is against co-accused and the petitioner is not named in the FIR and the informant who claims himself to be the eyewitness of the alleged occurrence of murder did not reveal any role of the petitioner in the alleged crime in the FIR and also considering the petitioner's custody period, in my view, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Murliganj P.S. Case No. 203 of 2020.

(Shailendra Singh, J)

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