

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68369 of 2022**

Arising Out of PS. Case No.-232 Year-2021 Thana- BIHARIGANJ District- Madhepura

Radha Devi, W/o Sanjay Mahto @ Shravan Mahto, R/o Village- Gangaura,
P.S.- Bihariganj, Distt- Madhepura.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 15-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with S.T. No.
125 of 2022 in Bihariganj Police Station Case No. 232 of 2021
registered for the offence under Sections 307, 302, 34 of the
Indian Penal Code and Section 27 of Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 18.11.2021.

The allegation against the petitioner is to commit
murder of the husband of informant alongwith other co-accused
persons by causing firearm injury.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced during the course of investigation merely on the basis of suspicion, where no incriminating material recovered/surfaced during the course of investigation to connect petitioner with the present occurrence of murder. It is also submitted that the matter has been compromised between the parties, for the reason that the petitioner and other co-accused persons were named in this matter under misconception of the fact. It is submitted that co-accused persons facing the thrust of allegation have already been granted bail by one of the co-ordinate Bench of this Court vide order dated 23.08.2022 passed in Cr. Misc. No. 26537 of 2022. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above as save and except suspicion, nothing surfaced against this petitioner during the course of investigation, who is a lady of clean antecedent, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be



released on bail in connection with S.T. No. 125 of 2022 in Bihariganj Police Station Case No. 232 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st, Madhepura/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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