

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75858 of 2023

Arising Out of PS. Case No.-726 Year-2023 Thana- KHAGARIA District- Khagaria

SITA DEVI Wife of Gobardhan Yadav Resident of village - Ramtola Kothia,
P.S.- Muffasil, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 401 of the Indian Penal Code and sections 25(1-b)1, 26 & 35 of the Arms Act.

3. Prosecution case relates to recovery of two country made pistols and four live cartridges from the rice container at the house of the petitioner. Petitioner was arrested on spot while she was trying to hide herself in the rice container.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner is a lady and she has no concern with the alleged recovery of arms. In fact, all the recovered arms belong to her husband, who



is already an accused in the present case and now he is in custody. The said recovery has been made from the house of the petitioner and she was not aware about keeping of arms in her house. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner has got no criminal antecedent and she is languishing in judicial custody since 18.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria in connection with Khagaria Muffasil P.S. Case No. 726 of 2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

