

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79254 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- SAHPUR District- Patna

Rani Kumari @ Rani @ Babli @ Bauli Daughter Of Girja Choudhary
Resident Of Village- Lal Kothi, Ps- Danapur, Distt- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302/34 of the Indian Penal Code
and Section 27 of the Arms Act.

As per allegation in the FIR, son of the informant had
left his house with saying to his parents that he has to go to
Ushri with sand loaded tractor. It is further alleged that tractor
owner made a call to the informant that someone has shot dead
his son. On getting information, informant and his family
members rushed towards the place of occurrence and saw that
his son was lying dead on driver seat and his mobile was
switched off. Two live cartridges and two empty cartridges were
found below the tractor engine. Thereafter, FIR was lodged



against unknown.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. FIR is against unknown. No one is the eye witness of the alleged occurrence. Only on the basis of confessional statement of apprehended accused Suraj Kumar, the name of the petitioner has been dragged in the present case. Petitioner is maternal aunt (mousi) of Suraj Kumar. Save and except confessional statement of co-accused Suraj Kumar, nothing has come against the petitioner. During investigation, no consistent material has come to show her involvement in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 6.7.2023 passed in Cr. Misc. No. 39077 of 2023. Petitioner is a lady and she is languishing in judicial custody.

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

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 Judicial
Magistrate 1st Class, Danapur, Patna in connection with Shahpur
PS Case NO. 124 of 2023.

(Sunil Kumar Panwar, J)

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