

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13291 of 2024

Arising Out of PS. Case No.-510 Year-2022 Thana- PHULPARAS District- Madhubani

Reena Devi, aged about 41 years, Female, Wife of Bechan Yadav, Resident of Village- Siswabarhi, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP
Mr. Bimal Kumar, Advocate
Mr. Ashok Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Phulparas PS Case No. 510 of 2022 instituted for the offences punishable under Sections 25(1-b) a, 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, co-accused persons including the petitioner variously armed with gun, sword, farsa, and kulahari entered into the house of the informant with an intention to kill.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics. He further submits there there is general and omnibus allegation



against the petitioner and there is previous enmity between the parties. Nothing incriminating articles have been recovered from the conscious possession of the petitioner nor any specific allegation against her. Petitioner is in custody since 01.11.2023.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the prayer for bail.

6. From perusal of the FIR, seizure list and the impugned order of the learned Additional Sessions Judge-III, Jhanjharpur, Madhubani dated 11.01.2024, it appears that on the basis of the written report of the informant Nagmani (private person) and production cum seizure list prepared by the police sub-inspector phulparas that one country made pistol and one empty cartridge has been recovered from the accused persons. It is made clear that no recovery has been made from the conscious possession of the petitioner by the police or any Magistrate, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Jhanjharpur, Madhubani in connection with Phulparas PS Case No. 510 of 2022.



7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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