

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31571 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- ARARIA District- Araria

Niti Kumari @ Nelam Devi Wife Of Bibhuti Singh Resident Of Village-
Arraha Mahua, Ward No. 10 (Saur Bazar), Ps- Ghailarh, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Araria
P.S. case No. 65 of 2024 instituted for the offences under
Sections 395 and 397 of the Indian Penal Code and later on
Section 412 of the IPC and Sections 25(1-b)a, 26, 27, 35 of the
Arms Act.

3. Prosecution case, in short, is that six unknown
miscreants committed dacoity in Axis Bank and looted cash
amounting to Rs. 1,31,96,000/- from the cash counter. It is
further alleged that the accused persons also took away DVR
and CCTV.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case on the basis of confessional statement of Shantanu Kumar Singh. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Except the confessional statement of the co-accused, there is no material against the petitioner. Learned counsel further submitted that petitioner is a lady and her husband is already in custody. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.02.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the fact that petitioner being lady and her husband being in custody, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Araria P.S. case No. 65 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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