

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66520 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- CHHATAPUR District- Supaul

GURIYA KUMARI D/o Late Sunil Mehta R/o vill - Tamua ward no. 6, P.s. -
Chhatapur (Rajeshwari O.P.), distt. - Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumod Kumar Shrivastaw

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending her arrest in connection with Chhatapur P.S. Case No. 146 of 2022 registered for the offences under Section 302/120(B)/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per prosecution case, father of the informant was murdered while the informant had gone to attend marriage of some relative. The informant alleged that the petitioner and other co-accused persons were involved in the said murder as their nefarious activities were being opposed by the deceased.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Except suspicion, there is nothing on record against the



petitioner. Petitioner is a young girl aged about 20 years and she is grand-daughter of the deceased. There were other family members present in the house when the occurrence took place but only the mother and sister of the petitioner have been made accused in this case under ill designs of the informant who is own uncle of the petitioner. Even during investigation no witness has come to support the prosecution case against the petitioner. Except for confessional statement of co-accused Mithilesh Kumar, there is nothing against this petitioner. Learned counsel further submits that petitioner is having no criminal antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is a young lady and there is lack of substantive material against the petitioner and considering the possibility of false implication, let the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned court of learned A.C.J.M.-V, Supaul/court concerned in connection with Chhatapur P.S. Case No. 146 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:-

- (I) One of the bailors will be a close relative of the petitioner.
- (II) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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