

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74235 of 2024

Arising Out of PS. Case No.-215 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Savitri Devi Wife of Dilip Mahto R/o - Kodhariya, P.S - Bibhutipur, District -
Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Bibhutipur P.S. Case No. 215 of 2024 for the offence punishable under Sections 25(1-B)a, 26 & 35 of the Arms Act lodged on 09.07.2024 by the informant, Anand Kumar Kashyap.

3. As per the prosecution story, the police got information that Manish Kumar along with his brother has kept country made pistol with cartridges in the house of his sister-in-law and accordingly raided the place and recovered/seized two country made pistols with cartridges from the house of this petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the she being the sister-in-law, did not knew that the accused have



kept the baggage containing country made revolver/cartridges for which she has already remained in custody since 10.07.2024 despite having no criminal antecedent.

5. Learned APP opposes the prayer submitting that recovery/seizure is from her house.

6. Considering the submission put forward by the parties as also that the petitioner is a lady, is in custody since 10.07.2024 having no criminal antecedent, the main accused is Manish Kumar and Ajay Kumar, this Court is inclined to extend her the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur, in connection with Bibhutipur P.S. Case No. 215 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her



bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

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