

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71576 of 2023**

Arising Out of PS. Case No.-555 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Maku Murmu @ Meena Murmu Wife Of Tala Marandi Resident Of Village
Kolhajor, Police Station- Sundar Pahari, District- Godda (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Narendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner has prayed for bail in a case
registered for the offence punishable under Sections 363 and
370 of the Indian Penal Code.

3. Allegation against the petitioner is of committing
theft of newly born child of the informant.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. She has been falsely implicated in this
case. She is not named in the F.I.R. Her name has been
transpired during investigation. There is no eye witness of the
alleged occurrence. She has not been arrested at the spot. The



newly born child recovered from the hospital not from the conscious possession of the petitioner. She had no wrong intention to the child. In fact, somebody had thrown a newly board child near the village of petitioner and she out of generosity looking at the condition of the child admitted the child at the hospital. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 22.06.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed.** 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 Chief Judicial Magistrate, Banka in connection with Kotwali (Barari) P.S. Case No.555 of 2023.

(Sunil Kumar Panwar, J)

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