

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83594 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- PARSAUNI District- Sitamarhi

Rekha Devi Wife Of Jailal Sah R/O Village- Raghopur Bakhari, P.S.-
Punaura, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP.

For the Informant : Mr. Md. Anisur Rahman, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. Petitioner apprehends her arrest in connection with Parsauni P.S. Case No. 106 of 2023 dated 16.08.2023, registered for the offence punishable u/s 363, 365, 506/34, 364, 302, 201 and 120(B) of the I.P.C., pending in the court of learned Judicial Magistrate, 1st Class, Sitamarhi.

3. Allegation against the petitioner is that she along with other co-accused persons have kidnapped and brutally murdered the minor child of the informant.

4. It is submitted by the learned counsel for the petitioner that the petitioner is quite innocent and has been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioners is general and omnibus in



nature. F.I.R. has been lodged against 7 accused persons, petitioner is not named in the F.I.R. There is specific allegation against the co-accused Mishri Lal Kumar. Petitioner has been transpired in this case on the basis of confessional statement of co-accused, Mishri Lal Kumar.

5. Per contra, learned APP for the State and learned counsel for the informant vehemently opposed the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence she does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order. Considering the fact that petitioner is female and has no criminal antecedent.

(Anjani Kumar Sharan, J)

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