

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9419 of 2018**

Arising Out of PS. Case No.-76 Year-2017 Thana- KAKO District- Jehanabad

Sunita Devi, wife of Awadhesh Mahto @ Awadhesh Kumar Singh, Resident of Mohalla/Village-Nadiyawan, P.S.-Kako, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Srivastava, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

ORAL ORDER

2     17-02-2018             Heard learned Counsel for the petitioner and learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147/148/353 and 504 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 14.04.2017 submitted by Jugeshwar Yadav, Chaukidar to the Station House Officer, Kakoi Police Station to the effect that on 14.04.2017, at 10.00 A.M., the natives of Daihan and Nadiyawan village have blocked the road in protest against kidnapping of a child. It is also alleged that the accused persons were raising slogans against the administration.



It is submitted by learned counsel for the petitioner that the FIR has been lodged against 38 known and 40-50 unknown. The petitioner has been made accused alleging her to be the wife of Awadhesh Mahto. The accusation is omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. Moreover, it appears that the police has lodged the present case in order to save his skin due to the protest made by the people against them for not taking any action in the case of kidnapping of the child.

It is submitted by Mr. J. N. Thakur learned APP for the State the petitioners have obstructed the police in discharging of official duties.

Considering the nature of accusation against the mob and petitioner being lady, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Jehanabad, in connection



with Kako P.S. Case No.76 of 2017, subject to the conditions  
as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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