

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20552 of 2019**

Arising Out of PS. Case No.-8 Year-2019 Thana- PUSA District- Samastipur

1. MALA KUMARI, Daughter of Birju Mahto, R/o Village- Harpur Mahmada, P.S.- Pusha, District- Samastipur.
2. Santoshi Devi, Wife of Birju Mahto, R/o Village- Harpur Mahmada, P.S.- Pusha, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sarvan Kumar

For the Opposite Party/s : Md. Syed Ehteshamuddin

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

2      12-04-2019                      Heard leaned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 427, 353 and 504/34 of the Indian Penal Code.

The prosecution case as per the written report of Jogeshwari Devi submitted to the SHO, Pusa P.S. is to the effect that on 12.01.2019 at about 01.30 P.M., when the informant was on duty in the Gram Kachhari, Harpur Mahmada, in the meantime, the petitioners entered into the office of the Gram



Kachhari, Harpur Mahmada and started abusing the informant. Thereafter, petitioner no.1, Mala Kumari started destroying the documents of Case No.06 of 2018 and petitioner no.2 started assaulting the informant, as a result, some important documents were destroyed by the petitioners.

It is submitted by learned counsel for the petitioners that earlier petitioner no.1 registered a case being Pusha P.S. Case No. 104 of 2018 against two persons namely, Sanjiv Mahto and Monu Mahto, who are close to the informant and as a retaliatory measure, the present case has been registered against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the accusation is specific against the petitioners and they are named in the FIR.

Considering the nature of accusation and the fact that there is specific accusation of destroying the documents of Case No.06 of 2018 is against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

However, the learned court below will consider the



prayer for regular bail of the petitioners, if they surrender within  
a period of six weeks, in connection with **Pusha P.S. Case No.**  
**08 of 2019**, pending in the Court of learned **CJM, Samastipur.**

Accordingly, the present application is disposed of.

**(Dinesh Kumar Singh, J)**

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