

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32201 of 2019

Arising Out of PS. Case No.-436 Year-2018 Thana- BUDDHACOLONY District- Patna

NEETU KUMARI D/o Mahatam Chaudhari Resident of Village - Uttarwar
Varawa, P.S.- Andar, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunal Tiwary

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 15-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Budha Colony P.S. Case No. 436 of 2018, disclosing offences under Sections 147, 148, 149, 188, 341, 342, 323, 324, 325, 307, 326, 332, 333, 337, 338, 353, 427, 449, 450, 451, 452, 461 and 120-B of the Indian Penal Code, including Section 3/4 of Damage to Public Property Act.

Allegedly, the petitioner, at the relevant point of time, was a Trainee Constable. The Deputy Superintendent of Police (Trainee), New Police Lines, Patna, is the informant of the case. The occurrence had taken place, apparently, in the wake of sudden death of a Trainee Constable on 02.11.2018. Allegedly, protesting against lack of proper care by the officials during the



treatment of the deceased Trainee Constable, nearly 300 to 350 Trainee Constables entered into the office of the informant, vandalized the articles and physically assaulted the informant. The petitioner is named in the FIR.

Learned counsel for the petitioner has submitted that there is no specific overt act alleged against the persons named in the FIR and all the Trainee Constables have been implicated in the FIR, indiscriminately.

On perusal of the FIR, it can be noticed that there is no allegation of any specific overt act against the petitioner. The allegation is general and omnibus.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of her arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Additional Sessions Judge-XI, Patna in connection with Budha Colony P.S. Case No. 436 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be,



as and when required and in the event of failure on her part to
appear before the court on two consecutive occasions, her bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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