

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6562 of 2020**

Arising Out of PS. Case No.-279 Year-2019 Thana- BYPASS District- Patna

1. PRINCE KUMAR @ DABLOO KUMAR @ PRINCE KUMAR SAXENA  
Son of Sri Gulab Chandra Chaudhary
2. Indu Kumari W/o Prince Kumar Saxena  
Both are resident of Mohalla - Road No.2, Maharani Colony, P.O.-  
Agamkuan, P.S.- Bypass, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nawnit Kumar Tiwary  
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2      25-06-2020                      Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners submits that during the pendency of this bail application, petitioner no. 1 has been arrested as such he does not intend to press the application so far as petitioner no. 1 is concerned.

The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 341, 323, 325, 354, 504, 506, 379/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Informant has alleged that Indu Kumari, Dabloo and



Bablu Kumar are her neighbour and co-accused Bablu Kumar used to make obscene comments against her daughter when she used to come to her house from her school. When informant came to know the fact, she along with her brother-in-law went to the house of Dabloo Kumar (petitioner no.1) on 23.10.2019 to enquire into the matter then some unknown persons abused and assaulted them with lathi and danda as a result of which, informant was injured and left wrist of her brother-in-law was fractured. During assault, Prince Kumar (petitioner no.1) snatched informant's gold chain and Bablu Kumar snatched Rs.26,000/- from the pocket of informant's brother-in-law.

It has been submitted on behalf of the petitioner that she is innocent and has falsely been implicated in this case. It is further submitted that on the alleged date of occurrence, i.e, 23.10.2019, the petitioners along with family members were brutally beaten by the informant's husband and her brother-in-law and in this connection petitioner no.2 has lodged an FIR against them and due to the aforesaid reason, the informant has filed a false case, and that too, after delay of three days of occurrence. It is further submitted that co-accused Bablu Kumar, who used to make vulgar comment against the daughter of the informant, has already been granted bail by a co-ordinate



Bench of this Court vide order dated 29.2.2020 passed in Cr. Misc. No.8935 of 2020. Petitioner no.2, who is a lady, has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner no.2, Indu Kumari, be released on anticipatory bail, in the event of her arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case No.213 of 2019 arising out of Bypass P.S. Case No.279 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and her absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel her bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

Sanjay/-

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