

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17350 of 2020**

Lalita Devi, wife of Kuleshwar Manjhi, Resident of Village-Ratani, P.S.-
Govindpur, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-07-2020 Heard learned counsel for the petitioner and Sri Ashok
Kumar Singh, learned APP for the State.

The petitioner in the present case is apprehending her arrest in connection with Govindpur P.S. Case No.15 of 2020 registered for the offence punishable under Sections 147, 148, 149, 188, 291, 341, 323, 337, 353, 427 and 504 of the Indian Penal Code, Section 9 of the Bihar Sound Control and Pollution Act and Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the First Information Report has been lodged alleging unauthorized use of DJ beyond time and on stopping the accused persons from running the DJ beyond time they indulged in throwing bricks and stones on the police party causing injuries to them, but so far as this petitioner is concerned, there is no specific allegation against this petitioner. The persons who were arrested on the spot by the police were found to



have consumed liquor and for this reason only the case has been registered under the provisions of the Bihar Prohibition and Excise Act, 2016.

Learned counsel submits that the name of this petitioner has transpired in the later part of the First Information Report stating that she was among the persons who had fled away. According to him, it is a case of over implication with superimposition allegation.

Mr. Ashok Kumar Singh, learned APP for the State has though opposed the prayer for anticipatory bail of the petitioner, but considering the facts and circumstances of the case wherein there is no specific allegation against this petitioner and she has been made accused by alleging that she had fled away from the place of occurrence, let the petitioner above named in the event of her arrest or surrender within a period of four weeks from today in connection with Govindpur P.S. Case No.15 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawada, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

