

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37398 of 2021

Arising Out of PS. Case No.-250 Year-2020 Thana- MAHARAJGANJ District- Siwan

SUNITA DEVI (Female), aged about 44 years, W/o Pradeep Kumar, Resident of Village - and P.O.- Purani Bazar, P.S.- Maharajganj, Distt.- Siwan.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajat Kumar Tiwary, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State through Virtual mode.

The petitioner is apprehending her arrest in a case for the offence registered under Sections 342, 323, 324, 326, 307, 338, 504 and 506/34 of the I.P.C.

The prosecution story, in brief, is that the petitioner and co-accused Pradeep Kumar assaulted the father of the informant by means of Talwar and rod causing head injury and other co-accused Ujjwal Kumar stabbed the informant.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The injury report of the father of the informant is Annexure-A to the supplementary affidavit filed on behalf of the petitioner. It appears from the injury report that the injury is said to be simple in nature. Hence, no offence under Section 307 of the I.P.C. is made out. Other co-accused with more or less similar allegation, has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 10313 of 2021 under order dated 10.06.2021, annexed as Annexure-B to the supplementary affidavit filed on behalf of the petitioner. The petitioner is a lady.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of the learned C.J.M., Siwan, in connection with Maharajganj P.S. Case No. 250 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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