

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26180 of 2020

Arising Out of PS. Case No.-281 Year-2019 Thana- NARPATGANJ District- Araria

SUNYALATA DAS @ SUNITA DEVI @ SUNITA DASI Wife of Basudev Das @ Basudeo Das @ Vasudev Das Resident of Village- Bela, Refugy Colony, Ward No. 03, P.S.- Narpatganj, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s :	Mr. Uday Pratap Singh, APP
For the Informant :	Mr. Amrit Abhijat, Advocate
	Mr. Ghanshyam, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 18-01-2021

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner apprehends arrest in Narpatganj (Basmatiya) PS Case No. 281 of 2019 registered under Sections 302, 120B and 34 of the IPC.

As per allegation in the FIR, elder brother of the informant was doing pairvi in a case. Based on such enmity the FIR alleges that the offence has been committed by nearly 66 persons to coerce withdrawal of the case. They have assaulted and committed loot in the informant's house, leading to death of father and brother of informant.

Learned Counsel for the petitioner submits that even as per FIR specific allegations are against Ram Chandra Das and some other persons. Against the petitioner there is no specific allegation. The case diary had earlier been called for. It is submitted that on perusal of the same it will be apparent that amongst various phone numbers, said to have been used for making threats, none of the



phone numbers belong to the petitioner or are attributed to be belonging to the petitioner. The petitioner is a female and it has falsely been alleged that she is one of the conspirator.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, 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 CJM Araria in Narpatganj (Basmatiya) PS Case No. 281 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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