

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4608 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- FATEHPUR District- Gaya

SUDHA DEVI Wife of Pramod Singh Resident of Village - Dhangaon, Police Station - Fatehpur and District - Gaya (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar no. 2, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2021 Heard the learned counsel for the petitioner and Ms. Renu Kumari, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Fatehpur PS case no. 135 of 2020 registered for the offences punishable under Sections 379 and other allied sections of Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having assaulted the mother of the informant, whereupon she had fallen on the ground and had subsequently died at the hospital.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has pointed out by



referring to the *fardbeyan* of the informant that specific allegation of assault is against the other co-accused persons namely Tripurari Kumar and Shivpurari Kumar; both sons of Pramod Singh, however as far as the petitioner is concerned, there is no allegation of any sort of overt act having been engaged in by her, hence it is submitted that the petitioner be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer of bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that as far as the petitioner is concerned, there is no allegation of any sort of overt act having been engaged in by her and moreover, she is having a clean antecedent, hence I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Chief Judicial Magistrate X, Gaya in connection with Fatehpur PS case no. 135 of 2020 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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