

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5455 of 2022

Arising Out of PS. Case No.-18 Year-2021 Thana- BIBHUTIPUR District- Samastipur

SUDHA DEVI W/o Rampravesh Rai Resident of Village- Boriahdih, P.S.-
Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Mahesh Mahto S/o Hakru Mahto Resident of Village- Boriahdih, P.S.-
Bibhutipur, District- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-09-2022 Heard learned counsel for the parties.

The petitioner apprehends her arrest in connection with
Bibhutipur P.S. Case No.18 of 2021, registered for the offences
punishable under Sections 363 and 365 of the Indian Penal Code.
Later on, Sections 302, 201, 120B and 34 were added.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no criminal
antecedent as stated in paragraph-3 of the bail application. It is
further submitted that the petitioner has not been named in the
FIR. The name of the petitioner surfaced in the case in the
confessional statement of wife of the informant. It is further
submitted that on 18.01.2021 when the dead body of the deceased
was recovered, merely on suspicion and out of revenge in enmity,



the informant and his wife came along with 115 persons and entered into the house of the petitioner, kidnapped the son of the petitioner, namely, Sonu Kumar @ Dingla, dragged him to Boriahdih Chowk and brutally assaulted him with rod and bricks until he died for which the petitioner has also lodged a case being Bibhutipur P.S. Case No.26 of 2021, dated 20.01.2021 against the informant of the present case and other co-accused persons.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid and the fact that no specific allegation is alleged against the petitioner, let petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Rosera, District Samastipur in connection with Bibhutipur P.S. Case No.18 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

Sanjay/-

U		T	
---	--	---	--

