

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8674 of 2022

Arising Out of PS. Case No.-117 Year-2021 Thana- VIJAYEPUR District- Gopalganj

MEERA DEVI WIFE OF RAMBRIKSH SAHANI RESIDENT OF
VILLAGE- MADAR KHAS, P.S.- BIJAIPUR, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant alleges that on 02.06.2021 at 4:00 pm, her *patidar* Umesh Sahani and Meera Devi (petitioner) came at her house and started disputing with her husband (deceased) to which the victim objected, it is next alleged that thereafter petitioner and co-accused took her husband aside from the house and thereafter the petitioner and Umesh Sahani assaulted the victim with knife causing injury. The victim was taken to hospital where during the course of treatment he died on 14.06.2021.



Learned counsel for the petitioner submits that the petitioner is a woman having clean antecedent and from perusal of the allegations as alleged in the F.I.R. it would manifest that the petitioner has been falsely implicated in the present case, the date of occurrence is 02.06.2021 and the F.I.R. came to be instituted on 15.06.2021 i.e., after a delay of 13 days. Learned counsel submits that if what has been alleged in the F.I.R. is true then definitely it was a criminal case and when the deceased was taken to government hospital then the hospital would have definitely informed the police before referring the deceased to Gorakhpur but from perusal of the F.I.R. it appears that the case came to be instituted based on an application submitted by the informant, this amply demonstrates that no such occurrence, as alleged, had taken place. It is also asserted and submitted that if a criminal offence of the nature alleged is committed then hospitals mandatorily have to inform the police, it is thus submitted that it creates doubt with regard to the veracity of the allegations as alleged.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the 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 released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bijaipur P.S. Case No. 117 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/Gaurav-

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