

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10691 of 2022

Arising Out of PS. Case No.-320 Year-2021 Thana- PAROO District- Muzaffarpur

1. SHIV KUMAR PATEL S/o Late Rajendra Patel Resident of Village- Batrauliya, P.S.- Paroo, District- Muzaffarpur.
2. BIMLA DEVI W/o Shiv Kumar Patel Resident of Village- Batrauliya, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-09-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned counsel for the informant.

Learned counsel for the petitioners has submitted that petitioner No. 1 has been arrested during pendency of this anticipatory bail petition. He, therefore, seeks permission to withdraw the anticipatory bail petition in respect of petitioner No.1.

In view of the aforesaid submission, the anticipatory bail petition is dismissed as withdraw in respect of petitioner



No. 1.

The petitioner no. 2 apprehends his arrest in connection with Paroo P.S. Case No. 320 of 2021, registered for the offences punishable under Sections 419, 420, 406, 504, 506/34 of the Indian Penal Code.

As per allegation, the informant and petitioner No. 1 were running a petrol pump jointly but thereafter they separated and there was dues of Rs. 7,86,247/- to the petitioner No. 1 payable to the informant and, as per allegation, he did not pay the dues and the petitioner No. 2 who is wife of the petitioner No. 1 threatened him to kill and to implicate him in false case.

Learned counsel for the petitioner has submitted that the occurrence took place in Assam. There is no allegation against the petitioner No. 2 that there was dues against her. She has been made accused merely because she is wife of petitioner No. 1. She is a lady of clean antecedent.

On the other hand, learned counsel for the informant has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances and also considering the clean antecedent of petitioner No. 2, let her in the event of her arrest or surrender within four weeks before the learned court below, be released on



bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IIIrd (West), Muzaffarpur in connection with Paroo P.S. Case No. 320 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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