

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16772 of 2022**

Arising Out of PS. Case No.-326 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Bhagmati Devi, W/O Upendra Rai R/O Village - Sadha Dambar, P.S. -
Motipur, District - Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar

For the Opposite Party/s : Mr. Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 22-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of her arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 120(B), 364, 511, 353, 354, 393, 427, 307 and 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and the informant alleges that during the course of investigation of Motipur P. S. Case No.315 of 2020, the police force reached at village Sadha Dambar and arrested accused Arjun Rai, but after his arrest, his family members and villagers gathered around the police force and on seeing the mob and the villagers, Arjun Rai started arguing with the force and supported by his father



Shankar Rai and his mother Sumitra Devi, who also assaulted the police party with lathi. It is next alleged that his brother Raju Rai instigated the mob on which the mob also tried to snatch the arms from the police personnel and even assaulted them leading to injury. It is next alleged that the local Chaukidar was also taken away by the accused persons and he was tied with a rope in a room with injuries and the mob was preparing to put the said room on fire. It is further alleged that the petitioners were also involved in the occurrence.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case being a relative of Arjun Rai. It is next submitted that allegation against petitioner is not specific though it is alleged that she along with her husband assaulted the police force. It is next submitted that since the villagers have gathered seeing the police and were of the view that Ajay Rai was an innocent person, as such, they were opposing his arrest. It is also submitted that no injuries have been suffered from the side of the prosecution as it has not been mentioned in the impugned order. It is further alleged that at Para-16, it has been specifically pleaded that no injury has been caused to any person from the side of the prosecution.

The learned Additional Public Prosecutor opposes the



anticipatory bail application.

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, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Motipur P. S. Case No.326 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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