

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31050 of 2021

Arising Out of PS. Case No.-16 Year-2020 Thana- SABAUR District- Bhagalpur

Deoki Devi @ Devaki Devi W/O Prakash Tanti (Wrongly mentioned in F.I.R. as Ganno Tanti), R/o village- Mamalkha, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 504, 506, 307, 379/34 of the Indian Penal Code and later on added section 302 of the Indian Penal Code.

According to prosecution case, as per F.I.R. on 16.01.2020 the informant Pappu Tanti has submitted a written report before the S.H.O. Sabour police station alleging therein that in the evening of 15.01.2020 the informant returned home from his duty and demanded loan of Rs.20/- from his cousin brother Ganno Tanti but he abused him and denied to give loan



as a result, altercation started between both of them but matter was pacified by the villagers. It is further alleged that on 16.01.2020 in the morning on the pretext of last day quarrel, all the six F.I.R. named accused persons including this petitioner lashed with iron rod, Lathi and Danda came at the door of informant and thereafter with a view to kill him and all the F.I.R. named accused persons started assaulting the father (Bimal Tanti) and brother (Dablu Tanti) of informant by iron rod, Lathi and Danda and during that course accused Lalu Tanti blow the iron rod on the head of father of the informant as a result, he fell down on the earth and became unconscious. It is further alleged that informant and his brother were also injured by the accused persons while they came to save his father and accused persons snatched Rs.1300/- cash from the pocket of informant and threat him too.

Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that the present case is counter blast of Sabour P.S. Case No. 17 of 2020 filed by the co-accused Santosh Tanti against the informant and his family members. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the



petitioner and specific allegation of overt-act against co-accused Lalu Tanti. He further submits that the petitioner is lady and she is aged about 65 years old.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sabour P.S. Case No. 16 of 2020, corresponding to G.R. No. 196 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the



evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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