

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24588 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- NIRMALI District- Supaul

1. KALA NAND MUKHIYA S/o Mahiram Mukhiya Resident of Village- Bela Singar Moti, Tola Camp, P.S.- Nirmali, District- Supaul
2. Deo Narayan Mukhiya S/o Mahiram Mukhiya Resident of Village- Bela Singar Moti, Tola Camp, P.S.- Nirmali, District- Supaul
3. Pankaj Kumar Mukhiya S/o Ashok Mukhiya Resident of Village- Bela Singar Moti, Tola Camp, P.S.- Nirmali, District- Supaul
4. Sarita @ Saraswati Devi W/o Deo Narayan Mukhiya Resident of Village- Bela Singar Moti, Tola Camp, P.S.- Nirmali, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

At the very outset, learned counsel for the petitioners seeks permission to withdraw this application as against petitioner nos.1 to 3, as during its pendency, they have been apprehended by the police.



Permission is accorded.

Accordingly, this application as against the petitioner nos.1 to 3 stands dismissed as withdrawn.

Now, it is being heard for consideration of bail as against petitioner no.4 only.

Petitioner No.4 apprehends her arrest in a case registered for the offence punishable under Sections 341, 323, 325, 452, 354, 307, 379, 504, 506, 34 of the Indian Penal Code.

Allegation against petitioner no.4 is of entering into the house of informant and damaging the household property.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner general and omnibus in nature. It is submitted that the parties are agnates and there is a land dispute between them. Petitioner is a lady and has one criminal antecedent.

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

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner no.4, let



her be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Nirmali P.S. Case No.63 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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