

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36650 of 2022

Arising Out of PS. Case No.-290 Year-2021 Thana- BANIAPUR District- Saran

=====

TULSI DEVI @ TULSI KUMARI D/O SURYADEV SINGH Resident of
village- Lauan kala, P.S.- Baniapur District- Chapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-11-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 341, 323, 324, 307, 379,
504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent and is a woman and the informant
alleges that on orders of petitioner, Vikas assaulted repeatedly
Harishankar with axe causing injury on head, Vicky assaulted him
with rod on waist and snatched Rs. 40,000/- and petitioner took out
his mobile and Raja snatched chain from Harishankar.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is next
submitted that police after investigation submitted Final Form in
favour of the petitioner but the learned Magistrate differing with the



police report took cognizance of the offence as such petitioner has apprehension of arrest.

Learned counsel for the petitioner next submits that it absolutely does not stand to reason that when one Investigating Agency has found the petitioner to be innocent then what materials transpired before the learned Magistrate to take cognizance and thus submits that it appears that cognizance is mechanical.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Baniapur P.S. Case No. 290 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

