

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48028 of 2022

Arising Out of PS. Case No.-373 Year-2021 Thana- BIRPUR District- Supaul

Sanjit Mukhiya Rukmani Devi R/O Bhim Nagar, Ward No.4

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends her arrest in a case registered
for the offence punishable under sections 341, 323, 324, 447,
448, 386, 380, 354(B), 504, 506/34 of the Indian Penal Code.

Allegedly, the accused persons carrying arms entered into
the house of the informant and demanded extortion money of
rupees one lakhs. One co-accused Sanjit Mukhiya inflicted
Dabiya on the head of the son of the informant and when the
family members came to save him they were also abused and
assaulted. The accused also took cash of Rs. 3,000/-, silver
chain and box containing cash and clothes. They also took away



household articles. It is also alleged that one co-accused Ranjit Mukhiya again came to the house at night and tried to molest the daughter-in-law of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. Petitioner has no criminal antecedent. No such occurrence, in the manner as alleged, has ever taken place. It is further submitted that the date of occurrence of incident is 08.11.2021 but the F.I.R. has been lodged on 11.11.2021 after delay of three days, without giving any plausible explanation for the said delay, which creates a serious doubt about the prosecution case. The allegation under section 386, 380, 354(B) of the I.P.C. are super addition and during the course of investigation the police has found the case under section 386, 380 of the I.P.C. as not true. The injuries are simple in nature. Both parties are agnates. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

Having regard to the facts and circumstances of the case and materials available on record, let the above named petitioner 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 Birpur (Bhim Nagar) P.S. Case No. 373 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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