

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49714 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- BODHGAYA District- Gaya

PRATIMA KUMARI @ SHILA DEVI W/O NAWAL KISHORE MAHTO @
NAWAL KUMAR Resident of Village- Mocharim, P.S.- Bodh Gaya, District-
Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr.Dr. Indihar Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

Petitioner apprehends her arrest in a case registered for
offence punishable u/s 341, 323, 324, 506/34 of IPC and 4 of the
Witchcraft Act.

Allegedly, the accused persons threw hot water on the body of
informant due to which the informant sustained burn injury on his
body. They said her dyne and threatened her.

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 petitioner has lodged
FIR against the informant much earlier. Due to this reason this false
case has been filed. The informant and accused persons are the co-



sharer and co-villager. As per FIR, there is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner. There is no incriminating article has been recovered from the conscious possession of the petitioner. The similarly situated co-accused have been granted anticipatory bail from the lower court. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioner, 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 Bodh Gaya P.S. Case No.149 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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