

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49732 of 2022

Arising Out of PS. Case No.-854 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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REKHA DEVI @ REKHA SHARMA W/o Kamakhya Narayan Sharma R/o
village- Choti Bhaishdiyara, P.S.- Barari, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Preeti Sharma W/o Mridul Kumar, D/o Sanjay Kumar Sharma R/o village-
Choti Bhaishdiyara, P.S.- Barari, District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bal Krishna Mishra, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP.

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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 his arrest in a case registered for offence
punishable u/s 323, 506, 498A, 313 of the IPC.

Allegedly, the husband of the complainant abused and
assaulted her. Her husband tortured the complainant physically and
mentally. When the complainant brought this fact to the petitioner
and other in laws, they forced the complainant to keep silence. The
petitioner is said to have helped complainant's husband in giving her
pills to terminate her pregnancy.

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 against petitioner regarding help to her husband in the course of termination of pregnancy is quite improbable and is super addition as the petitioner never stayed with the complainant. The petitioner is residing with her husband at District Katihar, where her husband is working as a teacher. 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 Katihar Complaint Case No.854 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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