

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70867 of 2021

Arising Out of PS. Case No.-340 Year-2020 Thana- HUSSAINGANJ District- Siwan

NOORI PRABIN @ NOORI BEGUM Wife of Mazhar Hussain R/o village -
Rasulpur, P.S.- Hussainganj, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 17-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Hussainganj P.S. Case No. 340 of 2020 registered for the
offences punishable under Sections 341, 323,324, 307, 379, 504,
and 34 of the I.P.C.

As per prosecution case, allegation against the
petitioner is that she assaulted the informant by means of rod on
his body. It is further alleged that petitioner took away the gold
ring and motorcycle of the informant.

Learned counsel for the petitioner submits that
petitioner is in custody since 29.10.2021 and bears no criminal



antecedent. He further submits that according to injury report there are five injuries over the body of the victim out of which injury no. 4 and 5 are simple in nature which is caused by the present petitioner and co-accused Reshmi as mentioned in the F.I.R. itself. There is no specific allegation against the petitioner. Petitioner is lady. Learned counsel further submits that the petitioner has falsely been made accused in the present case because the informant was having inimical term with the petitioner.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner being lady, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Siwan in connection with Hussainganj P.S. Case No. 340 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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