

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71031 of 2021

Arising Out of PS. Case No.-540 Year-2021 Thana- BAGHA District- West Champaran

Sunaina Devi Wife Of Kanahai Chaudhari Resident Of Village - Nuniyapatti,
Police Station - Bagaha (Bhairaganj), District - West Champaran (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-06-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in connection with Bagaha (Bhairaganj) P.S. Case No. 540 of 2021 registered for the offences punishable under Sections 341, 323, 313/34 of the Indian Penal Code. The petitioner is in custody since 14.10.2021 and has no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the informant was assaulted by the petitioner and Kanahi by lathi, leg and fists causing pain in her abdomen which resulted into abortion of her advance pregnancy.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged occurrence has taken place on 10.10.2021 and the present case has been lodged on 13.10.2021. It is submitted that the petitioner is a lady member of the family and on petty issue the alleged quarrel had taken place and she has got three minor children and there is no other family member to support them.

Learned counsel submits that the presence of the petitioner may be secured in course of trial.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that it is a case of false implication, the petitioner is a lady member of the family and on petty issue the alleged quarrel had taken place, the petitioner has remained in custody since 14.10.2021 and she has got three minor children who have no other family member to support, investigation against the petitioner is complete and her presence may also be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Bagaha,



West Champaran in connection with Bagaha (Bhairoganj) P.S.
Case No. 540 of 2021, subject to the condition as laid down
under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify
the criminal antecedent of the petitioner and in case at any stage
it is found that the petitioner has concealed her criminal
antecedent, the court below shall take steps for cancellation of
bail bond of the petitioner. However, the acceptance of bail
bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

Note: the ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during pandemic period all concerned shall act on the basis of the copy of the order uploaded on the high court website under the heading 'judicial orders passed during the pandemic period'.

