

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7811 of 2023

Arising Out of PS. Case No.-369 Year-2021 Thana- BARH District- Patna

KOSAMA DEVI W/o Pramod Prasad @ Pramod Yadav R/o Village-
Hasanchak, P.S.- Barh, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Barh P.S. Case No.369 of 2021, registered for offences under Sections 341, 323, 354, 307 and 34 of the IPC and Section 27 of the Arms Act.

The allegation is regarding the accused persons having caught hold of the mother of the informant on the alleged date and time of occurrence, whereafter they had started assaulting her and when the informant and his father had arrived there to save the mother and the sister of the informant from being taken away by the accused persons, he was also assaulted by the



accused persons.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has further submitted that the present case arises out of case and counter case. It is also submitted that an ornamental allegation has been levelled qua the petitioner herein, however, the main allegation is against the other co-accused persons, namely, Ravi Ranjan Kumar, Pramod Yadav and Chandan Kumar, of having assaulted the informant and his family members, resulting in them sustaining grievous injury, hence, the petitioner, an aged lady of 57 years, be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioner and she is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of her arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, 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, Barh, Patna in connection with Barh P.S. Case No.369 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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