

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16891 of 2023

Arising Out of PS. Case No.-256 Year-2016 Thana- MAHUA District- Vaishali

Umiya Devi Wife Of Virendra Ray R/O Village- Alipurmukund, P.S.- Mahua,
District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2023 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 Mahua P.S. Case No.256 of 2016, registered for offences under Sections 147, 149, 341, 323, 353, 504, 506 of the Indian Penal Code.

The allegation is regarding 200-250 persons including the petitioner herein having blocked Mahua-Hajipur road on the alleged date and time of occurrence on account of inaction of the police administration in the matter of firing made by some unknown persons upon the aunt-in-



law of ex-mukhiya, Sabita Devi.

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 fair antecedent. The learned counsel for the petitioner has submitted that the petitioner is an old lady aged about 70 years and she cannot imagine to participate in the ruckus created by the unlawful assembly, hence she 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 all the accused persons and as far as the petitioner is concerned, she has not been alleged to have engaged in any specific overtact as also 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 Chief Judicial Magistrate, Vaishali in connection with Mahua P.S. Case No.256 of 2016, G.R. No.2555 of 2016, 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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