

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8465 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- KUMAR KHAND District- Madhepura

ANJU KUMARI Wife of Akhilesh Ram @ Rinku Ram Resident of Village-
Baisadh, P.S.- Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kumarkhand P.S. Case No. 383 of 2022, registered for the offence punishable under Sections 341, 323, 379, 411, 504 and 506/34 of the Indian Penal Code.

The case of the prosecution, in brief, is that while the informant was involved in the process of distributing ration items amongst the beneficiaries by taking their thumb impression, the accused persons came there and assaulted the informant, whereafter they are alleged to have snatched the E.POS machine from the informant and then, they had fled away.

The learned counsel for the petitioner submits 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 it has been wrongly stated that the E-POS machine was recovered from the house of the petitioner whereas the fact is that the seizure list would show that the same was recovered from the premises of Kumarkhand Police Station. It is also submitted that as far as the petitioner is concerned, there is no allegation of her having engaged in any sort of overt act. Lastly, it is submitted that similarly situated co-accused persons have already been granted the privilege of bail, by an order dated 28.4.2023, passed in Criminal Miscellaneous No. 13092 of 2023.

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 petitioner, taking into account the materials available on record as also considering the fact that neither the petitioner has been alleged to have assaulted the informant nor the E-POS machine appears to have been recovered from her house, apart from the fact that similarly situated co-accused persons have already been granted the privilege of bail, I deem it fit and proper to admit the



petitioner to the privilege of anticipatory bail.

Accordingly, the 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 ACJM IInd, Madhepura, in connection with Kumarkhand P.S.Case No. 383 of 2022, 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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