

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11935 of 2023

Arising Out of PS. Case No.-526 Year-2022 Thana- BANKA District- Banka

ANITA @ ANITA DEVI @ ANITA TUDDU Wife of Mukesh Murmu R/V-
Dudhiyatari (Dudhghatia) P.S- Fullidumar, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Banka P.S.
Case No. 526 of 2022 dated 17.08.2022 registered for the offence
under Sections 419, 420, 467, 468, 471 and 120(B)/34 of the
Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms
Act.

The petitioner is apprehended having unlawful
possession of one country made pistol in the attire of police.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that it
appears from the F.I.R. and seizure list that the petitioner is
apprehended having illegal possession of one country made



pistol in the attire of police. He further submits that the petitioner was herself cheated by a forge and fabricated company by which she has been allured to provide appointment in the police and accordingly she was given a police dress and a country made pistol. He further submits that the petitioner was not involved in any illegal activities neither she played pivotal role in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner, who is illiterate santhal lady, is rotting in judicial custody since 18.08.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 526 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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 his criminal antecedent, the court below shall take step 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.

(Rajesh Kumar Verma, J)

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