

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14164 of 2023

Arising Out of PS. Case No.-153 Year-2021 Thana- SANGRAMPUR District- East
Champaran

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REEMA DEVI W/O VIJAY SINGH @ VIJAY KUMAR SINGH Resident of
Village- Kurkut Rai Mathiya, P.S.- Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends her arrest in connection
with G.R. Case No. 3717 of 2021 arising out of Sangrampur P.S.
Case No. 153 of 2021 for the offence registered under sections
341, 323, 324, 308, 379, 504 and 34 of the Indian Penal Code
lodged on 27.06.2021 by the informant, Kamal Devi.

The prosecution story, in brief, is that the informant
Kamal Devi has filed a petition before S.H.O. Sangrampur P.S.
stating therein that on 26.06.2021 at about 08.00 P.M. the
informant's daughter Badal Kumari was growing flower in front



of her house. In the mean time, all the F.I.R. named accused persons including these two petitioners came there and started abusing to her in filthy language. When the informant raised objection, the accused Vijay Kumar Singh gave ‘*Dab*’ blow on the head of the informant causing injury as a result whereof the informant fell down and thereafter, accused Reema Devi and Muskan Kumari snatched gold chain and ear-top of the informant. When the informant screamed, the informant's son came there and the accused persons assaulted him with ‘*lathi*’ and ‘*fatha*’. Hearing noise, when the nearby persons came there, the accused persons entered in their house. Accordingly, the FIR.

It has been submitted by the learned Counsel for the petitioner that the main allegation is against Vijay Kumar Singh of assault. So far as this petitioner is concerned, the FIR has been exaggerated to alleged that she snatched the gold chain.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that there is allegation against him.

Taking into account the fact that the main allegation is against Vijay Kumar Singh, the petitioner do not have criminal antecedent, is a lady, this Court is inclined to grant her privilege



of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with G.R. Case No. 3717 of 2021 arising out of Sangrampur P.S. Case No. 153 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any



criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds;

(Rajiv Roy, J)

Jagdish/Neha/-

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