

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18170 of 2023

Arising Out of PS. Case No.-425 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Amrita Devi Wife Of Rakesh Kumar R/O Village Kali Asthan Ward No 6
Bhagwanpur Chakshekhu, Ps Dalsingsarai, Distt- Samstipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Dalsingsarai P.S. Case No. 425 of 2022 registered for the offences punishable under Sections 341, 323, 307, 353, 354, 504, 506 and 34 of the Indian Penal Code. She has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, it is alleged that while the informant along with other police force had gone for enquiry on the petition of one Sunita Kumari then this petitioner along with her daughter and son with an intention to kill started brick batting upon the police party, tried to snatch the arms of the police personnel, as a result of which three ladies constable



sustained injury.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the allegation of causing assault on the police personnel are completely false as no injury has been caused to anyone of them and the two minor children of the petitioner who were arrested have already been enlarged on bail.

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

Having regard to the facts and circumstances of the case, the submission that the police had no role to play in the private dispute between two parties and that in this case in fact the informant had indulged in forceful eviction of the petitioner side whereupon the petitioner resisted, however the allegation of causing assault on the police personnel are completely false as no injury has been caused to anyone of them and the two minor children of the petitioner who were arrested have already been enlarged on bail, this Court, therefore, directs that in case of her arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Chief Judicial Magistrate – 1st, Samastipur, in connection with Dalsingsarai P.S. Case No. 425 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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 her 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.

(Rajeev Ranjan Prasad, J)

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