

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 19582 of 2022**

Arising Out of PS. Case No.-327 Year-2021 Thana- SIDHWALIYA District- Gopalganj

Priyam Devi, Female, aged about 27 year, Wife of Rajan Singh @ Rajan Kumar Singh Resident of Village- Haluwarpipra Panday Tola, P.S.- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Singh, Advocate  
For the State : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

4      28-08-2023                      Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Sidhwaliya P.S. Case No. 327 of 2021 dated 09.10.2021 instituted under Sections 364/34 of the Indian Penal Code.

3. As per the prosecution case, Mithu Dubey aged about 21 years son of informant received a telephonic information from mobile number of Sanjeet Sah stating that the petitioner was calling him. Mithu Dubey went to the house of the petitioner and after that he did not return to his house.

4. Learned counsel for the petitioner submits that the alleged occurrence took place on 01.10.2021. However, the FIR was lodged on 09.10.2021 and the same was forwarded to the Court on 16.10.2021 without any explanation which creates



doubt in the prosecution case. The petitioner is a married lady and on the basis of suspicion only her name has been implicated in this case due to village politics. The alleged victim Mithu Dubey is himself an accused in Sidhwaliya P.S. Caes No. 66 of 2016 under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act and it appears that he himself absconding. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Gopalganj in Sidhwaliya P.S. Case No. 327 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

**(Sunil Dutta Mishra, J)**

P. Kumar

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