

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34363 of 2023

Arising Out of PS. Case No.-371 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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RUPAM KUMARI @ RUPAM KUMAR DAUGHTER OF KAILASH
SINGH @ KARE SINGH @ KAUSHAL SINGH RESIDENT OF
VILLAGE- VISHNUPUR AHOK, P.S. SAHEBPUR KAMAL, DISTT.
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr .Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-07-2023 Heard the parties.

The petitioner is apprehending his arrest in connection with Sahebpur Kamal P.S. Case No 371 of 2022 for the offence under Sections 147, 149, 342, 323, 307, 224, 332, 353 and 120(B) of the I.P.C. lodged on 29.12.2022 by the informant Raj Kumar Ram.

As per the prosecution story, on search of an absconder, Nago Singh, the Police raided his house when one person tried to escape, apprehended and disclosed his name as Nago Singh and on the said house of Nago Singh, 294 liters of foreign liquor were also recovered/seized and while he was being brought to the police vehicle, Pankaj Yadav alongwith



other accused persons tried to make Nago Singh flee away and in the process, the informant received head injury. The accused persons finally succeeded in taking Nago Singh away from police custody. Accordingly, the F.I.R.

It is the case of the learned counsel for the petitioner that she is not related to Nago Singh and have no role to play either in the recovery/seizure from the house of Nago Singh and/or getting involved in freeing him from the police custody.

Learned APP opposes the prayer stating that all the accused persons assaulted the Police and took the accused Nago Singh from the police custody.

Considering the fact that the petitioner is a lady, do not have criminal antecedent, unrelated to Nago Singh, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Exclusive Excise Judge IInd, Begusarai, in connection with Sahebpur Kamal P.S. Case No 371 of 2022 subject to the conditions as laid down under



Section 438(2) of the Cr.P.C. subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/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 her bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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