

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45136 of 2023**

Arising Out of PS. Case No.-739 Year-2022 Thana- BIKRAMGANJ District- Rohtas

NITU KUMARI W/O KUNDAN KUMAR THAKUR R/O VILLAGE-  
BHAGWATPUR, PS. SARAIKARANJAN, DIST. SAMASTIPUR, BIHAR-  
848101

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      04-08-2023                      Heard Mr. Piyush Kr. Pandey, learned counsel for  
the petitioner and the State.

The petitioner is apprehending arrest in connection with Bikramganj P.S. Case No. 739 of 2022 instituted under under Sections 448, 323, 379, 307, 504/34 of the Indian Penal Code lodged on 27.12.2022 by the informant, Sima Bharti.

As per the prosecution story, both the informant and the petitioner are renters and the allegation is that the lady used to abuse the next door neighbour and when she protested, allegation is of assault to both her as also her husband. She was unconscious and taken to police station, then to the hospital followed by the FIR.

It is the case of the learned counsel for the petitioner



that both the husband of the petitioner as also the husband of the informant are bank officials and renters in the same house and on trivial issue, some altercation took place which has been given the colour of assault. To his knowledge, no injury report has come.

Learned APP opposes the prayer.

Considering the fact that the petitioner is lady, has no criminal antecedent and there is omnibus allegation of assault, this Court is inclined to extend her privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court 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 the like amount each in connection with Bikramganj P.S. Case No. 739 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 co-operate in the investigation and make herself available to the police as and when required;

(iv) 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;

(v) 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.

**(Rajiv Roy, J)**

Ravi/-

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