

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45550 of 2023

Arising Out of PS. Case No.-914 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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PUSHPLATA KUMARI W/O SRI BINOD KUMAR THAKUR R/O Village-
Palsa, P.S- Azam Nagar, Distt.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Sahidul Haque S/O Md. Muslim R/O Mohalla- Madhopara, P.S-
Sahayak K. Hat, Distt. - Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2023 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the complainant.
2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 323, 324, 325, 354B, 379, 380, 452, 504, 506, 500 of the
Indian Penal Code and Section 75 of the Juvenile Justice Care
and Protection Act, 2015.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. The complainant alleges that the accused persons
including the petitioner forcefully entered the house of the
complainant on 17.07.2021 without search warrant and when
complainant questioned about search warrant, the accused



persons became furious and abused him despite knowing that complainant is an Advocate. It is next alleged that on the same day at 08:30 P.M., 40-50 policemen including officials and some accused in civil dress came and started assaulting his son and daughter. Further, the petitioner along with other accused assaulted the complainant, his son and daughter also and the accused persons snatched three mobiles of family members of the complainant, his daughter's clothes were torn and she became semi-nude. Further her injuries were noted by the learned Magistrate and the complainant was produced in Court in his night dress as detailed in the complaint. Further the complainant, his son and daughters were released by the learned District Court on 18.07.2021, thereafter, he informed the Bar Association. He alleges that members of Purnea Bar Association met the Superintendent of Police on 22.07.2021, but no F.I.R. was instituted and thereafter the complaint case came to be filed.

5. Learned counsel for the petitioner submits that similarly situated co-accused Mithilesh Kumar had moved this Court seeking anticipatory bail by filing Cr. Misc. No. 26934 of 2023 and the privilege of anticipatory bail was granted to Mithilesh Kumar by order dated 06.07.2023. It is further



submitted that in Cr. Misc. No. 26934 of 2023, the Inspector General of Police, Purnea Range and the Railway Superintendent of Police, Muzaffarpur Mr. Kumar Ashish were present and after hearing the Inspector General of Police, Purnea Range, Mithilesh Kumar was granted anticipatory bail as he had assured the Court that after examining the issue in detail proper action on the administrative side shall be initiated against the accused persons including the petitioner who is the Officer-in-Charge, Kishanganj Mahila Police Station. It is next submitted that the facts of the present case if not akin is similar to Mithilesh Kumar.

6. Learned A.P.P. for the State and the learned counsel for the complainant does not dispute the submissions made by the learned counsel for the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint



Case No. 914 of 2021, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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