

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44773 of 2023

Arising Out of PS. Case No.-314 Year-2022 Thana- BELAGANJ District- Gaya

SARITA KUMARI Wife of Santosh Kumar D/o Ramashish Prasad, R/o Mehdichak (Kazisarai), P.S.- Kako, District - Jehanabad, At present R/o Chalish Kurwa, P.S.- Makhdumpur, District - Jehanabad (Bihar) (Owner of Splendour Motorcycle bearing Regd. No.- BR02X-5707).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-08-2023 Heard the parties.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 395 of the Indian Penal Code.

3. As per the FIR, it is alleged that the petitioner and other co-accused persons stopped the tempo of the informant and threw chilly powder in his eyes and snatched Rs.1,50,000/- from him. One motorcycle was seized on the spot and petitioner is the registered owner of the vehicle.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been made accused in the present case because she is the registered owner of the seized vehicle. He further submits that there is no specific overt act against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the petitioner is a lady and there is no specific overt act against her, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Belaganj P.S. Case No.314 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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