

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57961 of 2023

Arising Out of PS. Case No.-1194 Year-2022 Thana- KHAGARIA District- Khagaria

SUNDARI KUMARI @ SUNDARI DEVI W/O SIKANDAR SAHNI R/O
VILLAGE- MATHURAPUR, BHAGAT TOLA, WARD NO. 20, PS.
KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-10-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending her arrest in
connection with Khagaria P.S. Case No.1194 of 2022 registered
for the offences punishable under Sections 341, 323, 307,
498(A)/34 of the Indian Penal Code and Section 37 of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, petitioner is alleged to
have assaulted upon the temple of the informant by means of
rod. It is further alleged that petitioner broke L.C.D T.V. and
took away Rs. 3000/- from purse of informant. It is further
alleged that Sikandar Sahni (husband) of the informant has also
assaulted upon the head of the informant.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and she has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that petitioner has falsely been implicated in the case as she is second wife of the co-accused Sikandar Sahani and she has nothing to do with the alleged occurrence. He further submits that petitioner is the victim of the said case as the informant is first wife of the co-accused Sikandar Sahani. He further submits that petitioner has no knowledge that co-accused Sikandar Sahani has already married with the informant. Learned counsel further submits that impugned order reflects that the informant has received injury on her head but no injury is found on temple of the informant. He further submits that allegation of taking Rs. 3000/- from purse of the informant is ornamental in nature in order to make the case grievous. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner as the entire prosecution story is full of concoction and fabrication.

5. The 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, keeping in view clean antecedent of petitioner, petitioner being a lady, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1st, Khagaria in connection with Khagaria P.S. Case No.1194 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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