

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59646 of 2023

Arising Out of PS. Case No.-474 Year-2023 Thana- NATHNAGAR District- Bhagalpur

SAHINA PRAVEEN @ SAHINA KHATOON @ FUSO wife of Md. Zafar
Uddin village- Kabirpur Ps- Lalmatia Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bal Krishna Mishra, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-10-2023 Heard learned counsel for the petitioner and Mr.
Bharat Bhushan, learned APP for the State.

2. The petitioner is apprehending arrest in connection with Nathnagar (Lalmatia) P.S. Case No. 474 of 2023 instituted under under Sections 147, 148, 149, 323, 353, 427, 379, 504 of the Indian Penal Code lodged on 10.6.2023 by the informant, Anil Kumar.

3. As per the prosecution story, on 10.6.2023 at about 5 PM in the evening, the informant along with police party reached at the house of accused of Md. Imran @ Nanhe who tried to escape but was apprehended. Thereafter, the named accused alongwith 10-15 unknown persons attacked the police party and tried to make free the apprehended person, Md. Imran and in course thereof, some police personnel got injured.



4. Learned counsel for the petitioner submits only to implicate her as also other innocent persons, the exaggerated FIR has been lodged. She is a lady, nothing to do with the present occurrence and further irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs. 2000/- to the Chief Minister's Relief Fund, Bihar, Patna.

5. Learned APP opposes the prayer for bail.

6. Taking into account the fact that she is an aged lady, do not have criminal antecedent and will be appearing in the trial, this Court is inclined to extend her the privilege of anticipatory bail subject to payment of Rs. 2000/- to the Chief Minister's Relief Fund, Bihar, Patna and the receipt has to be submitted at the time of execution of bail bond.

7. 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 Nathnagar (Lalmatia) P.S. Case No. 474 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur 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 himself 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;

(vi) 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)

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