

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61098 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- MADHAURAH District- Saran

1. KAUSHAL KUMAR @ KAUSHAL KUMAR GUPTA S/o- KEDAR PRASAD Village- Madhaura Khurd Ps- Madhaura Dist-Saran
2. Dipti Soni wife of Shambhu Prasad Village- Madhaura Khurd Ps- Madhaura Dist-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned APP
for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no.1, who has surrendered during pendency of this application.

3. Permission is granted.

4. Accordingly, this application with regard to petitioner no.1 is dismissed as withdrawn.

5. Now, the present application is being heard for consideration of bail of petitioner no.2 only.

6. The petitioner no.2 apprehends her arrest in a case



registered for the offence punishable u/s 147, 341, 323, 324, 307, 504 of the IPC.

7. As per the prosecution case, petitioner along with other co-accused persons came at the shop of the informant and started abusing. On protest, they started assaulting by means of lathi-danda and rod.

8. 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 due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. For the alleged occurrence, there is case and counter-case between the parties and both sides have sustained injuries. Petitioner no.2 has no criminal antecedent and she is a lady.

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

10. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner no.2, let the above named petitioner no.2, 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 Madhaura P.S. Case No.243 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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