

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62367 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- KOTWA District- East Champaran

Urmila Devi, Wife of Shiv Kumar Pandit, Resident of Village/Mohalla-
Bishunpurdih, P.S.-Kotwa (Bhopatpur O.P.), District-East Champaran.

... .. Petitioner

Versus

The State Of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

2. The petitioner in the present case is seeking pre-arrest bail in connection with Kotwa (Bhopatpur O.P.) P.S. Case No. 51 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 332, 333, 353, 427, 337, 338, 504, 506 of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, on 11.02.2023 at about 05:30 P.M., the informant along with other police personnel during vehicle checking tried to stop a person but he started fleeing away and after some distance, police party apprehended him who disclosed his name as Upendra Kumar @ Bholu and he was found in drunken condition. Thereafter, on his call 50-60 unknown accused persons variously armed came there and



assaulted the police party as also damaged the police vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation against the petitioner and has otherwise no criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it appears that in the FIR there are altogether 20 named and 50-60 unknown persons, there is no specific allegation against the petitioner and the petitioner has otherwise no criminal antecedent, hence, this Court directs that in case of her arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Kotwa (Bhopatpur O.P.) P.S. Case No. 51 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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