

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62227 of 2022

Arising Out of PS. Case No.-103 Year-2022 Thana- BARHIYA District- Lakhisarai

SUNAINA DEVI WIFE OF SHIVDANI THAKUR R/O VILLAGE-
PARSAWAN, P.S.- RAMGARH CHOWK, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 366(A) and 34 of the Indian Penal Code pending in the learned court below.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act attributed against the petitioner and petitioner is a lady. He submits that the occurrence took place on 11.05.2022 but F.I.R lodged on 24.05.2022 after a delay of 12 days and there is no any reason for the delay in filing of the present F.I.R. which creates serious doubt about the prosecution



case. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that till date the victim is not recovered. Hence, she does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that the victim is not recovered till date, I am not inclined to enlarge the petitioner on bail in connection with Barahiya P.S. Case No. 103/2022. Accordingly, her prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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