

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64713 of 2023

Arising Out of PS. Case No.-187 Year-2023 Thana- ATRI District- Gaya

SARITA DEVI wife of Mantu Yadav @ Mintu Yadav Village- Pathari Ps- Atri
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2023 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 Atri P.S. Case No. 187 of 2023 registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506 of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, the informant had purchased a piece of land in the name of his mother in the year 2010. It is alleged that on 16.04.2023 at about 6.00 pm while the informant was working in the said filed, all the accused persons including the petitioner came and started abusing and assaulting him and when informant's wife came to rescue him, she was also assaulted.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The informant and petitioner's side are related as petitioner is sister-in-law (Bhabhi) of the informant. It is submitted that there is no specific allegation against this petitioner in the FIR rather she has been made an accused in the present case only because she is wife of co-accused Mintu Yadav, who is alleged to have assaulted the informant.

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

6. Having regard to the submission that the petitioner has been falsely implicated in this case only because she is wife of co-accused Mintu Yadav, there is no specific allegation against her and she has otherwise no criminal antecedent, 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 Atri P.S. Case No. 187 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, Gaya 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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