

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75759 of 2023

Arising Out of PS. Case No.-190 Year-2023 Thana- DESARI District- Vaishali

Munni Begum @ Mustari Khatoon Wife of Md. Maksud R/O- Muraubatpur,
P.S.- Desari, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-11-2023 Heard Mr. Manish Chandra Gandhi, learned counsel
for the petitioner and Mr. Damodar Prasad Tiwary, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Desari P.S. Case No. 190 of 2023, F.I.R. dated 28.05.2023 for the offences punishable under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner have assaulted the informant and his son and grandson due to which they have sustained injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that there is case and counter case between the parties. He further submits that as per the allegation in the F.I.R the petitioner has assaulted to the son and grandson of the informant but the injury report of the son and grandson of the informant which is Annexure-3 series suggest that the injuries are simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is case and counter case between the parties and the injuries are simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate -IX, Vaishali at Hajipur in connection with Desari P.S. Case No. 190 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

