

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75286 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Rekha Devi, Female aged about 26 Yrs. Wife Of Amit Kumar, Resident Of
Mohalla- Sangam Chowk, Marine Drive Road, Lakshmi Chowk, P.S.-
Brahmpura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankjesh Sharma, Advocate

Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-11-2023 Heard Mr. Pankjesh Sharma, learned counsel
appearing on behalf of the petitioner and Mr. Jitendra Kumar
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Brahmpura P.S. Case No. 63 of 2023 registered for the
offence punishable under Sections 341, 323, 504, 385, 387, 506
and 34 of the Indian Penal Code.

3. Allegation is that on the basis of some of the
objectionable photographs of the wife of the informant, the
husband of the petitioner had started blackmailing the informant
and had demanded Rs. 10 lacs and if the said amount is not
fulfilled, the husband of the petitioner had threatened to make
the objectionable photographs of the wife of the informant viral.



The allegation against the petitioner is that she was also connived with her husband/accused.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and for any illegal and immoral act of her husband, she should not be made to suffer by facing a criminal case. The allegation against the husband of the petitioner to have threatened the informant to make the photograph of the wife of the informant viral if he fails to fulfill the demand of rupees ten lacs. Petitioner has clean antecedent. Having no role in the alleged offence, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner, who is the wife of the main accused, against whom there is allegation of blackmailing the informant that in case the informant fails to make payment of rupees ten lacs, he will make objectionable photographs of his wife viral. Only allegation against the petitioner that she had also threatened the informant. The petitioner is directed to file an undertaking along with two responsible persons of the place where she resides that she will not threaten the informant in any manner or engage in



any criminal case in future.

7. If such undertaking is filed on affidavit, the District Court is directed to release the petitioner, above named, on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four 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 learned Court No. 9, J.M. Ist Class (East), Muzaffarpur, in connection with Brahmpura P.S. Case No. 63 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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