

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6121 of 2024

Arising Out of PS. Case No.-473 Year-2023 Thana- MAHUA District- Vaishali

Rinki Devi @ Rinku Devi W/o Pabittar Mahto Resident of village Madhaul
Ps Mahua District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-02-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Mahua P.S. Case No. 473 of 2023 for the offence registered under sections 316, 341, 323, 325, 504, 506 and 34 of the Indian Penal Code lodged on 18.07.2023 by the informant, Sinku Devi.

3. As per the prosecution story, the allegation is that the accused persons who are related with the informant came and assaulted the pregnant lady which resulted into her abortion. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that there has been delay in lodging of the FIR and husband of the petitioner is already in jail.

5. Learned APP for the State, on the other hand,



opposes the prayer for anticipatory bail stating that a child who could have seen the light of the world was killed inside her womb.

6. Taking into account the submissions put forward by the parties as also that the husband has already been taken into custody, she is a lady and do not have criminal antecedent, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Mahua P.S. Case No. 473 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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