

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13931 of 2024

Arising Out of PS. Case No.-23 Year-2023 Thana- BHADHWAR District- Gaya

Preety Kumari @ Preety Devi W/O Jugesh Kumar R/O Village- Bhadwar
Tola Adar, Ps.- Bhadwar, Dist. Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Singh, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-04-2024 Heard Mr.Gajendra Singh, learned counsel for the
petitioner and Mr.Zainul Abedin, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Bhadwar P.S. Case No.23/2023, FIR dated 10.04.2023, registered for the offences punishable under Sections 323,341,325,307,448,506,34 of the Indian Penal Code and later on Section 302 of IPC was added.

3. Prosecution case, in brief, as per written report of the informant Yogendra Prasad is that on 07.04.2023 at about 8.00 PM, all of sudden, the accused persons armed with lathi-danda came at his house and started assaulting the informant and his wife due to which they both become injured.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been



implicated in the present case. Further submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 07.04.2023 but the present FIR has been instituted on 10.04.2023 after delay of three days without giving any explanation of delay and apart from that, it appears from the FIR itself that there is no specific allegation of any assault or overt-act is attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner that they have assaulted to the informant and his wife.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation of any assault or overt-act is attributed against the petitioner and the petitioner is lady, let the petitioner, above named, in the event of her 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 learned S.D.J.M., Sherghati, Gaya in connection with Bhadwar P.S.



Case No.23/2023, 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/her absence on two consecutive dates without sufficient reason, his/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 his/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)

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