

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14855 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- PAROO District- Muzaffarpur

Rani Devi W/O Jagdish Ray Resident Of Village- Sarmaipur, P.S.- Paroo,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2024 Heard Mr. Bhavesh Kumar, the learned counsel for
the petitioner and Mr. Lakshmi Kant Sharma, the learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Paroo PS Case No. 310 of 2023, FIR dated
16.07.2023, registered for the offences punishable under
Sections 363 and 366(A) of the Indian Penal Code.

3. According to prosecution case, an occurrence dated
13.07.2023 was launched on 16.07.2023 and upon its receipt,
formal FIR was drawn and was transmitted to the learned Court
on 22.07.2023. It is further alleged that the delay on each count,
i.e., by the informant or by the Police remains unexplained.

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



implicated in the present case merely on the ground that she is the mother of the co-accused namely, Vishal Yadav and she has no concern at all with the alleged occurrence. He further submits that upon perusal of the FIR, it appears that the informant is not the eye-witness of the alleged occurrence and only on the basis of suspicion, she has been made accused in the present case and in fact, the victim was in love with the son of the petitioner.

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

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and she has been made accused only on the basis of suspicion, let the petitioner, above-named, in the event of her arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Judicial Magistrate-1st Class, Muzaffarpur, where the case is pending in connection with **Paroo PS Case No. 310 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the 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 her absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial 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 learned trial Court 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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