

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16243 of 2024

Arising Out of PS. Case No.-144 Year-2023 Thana- MADHEPUR District- Madhubani

Mamta Devi W/o Chhote Lal Mukhiya R/o vill - Bhit Bhagwanpur, P.S. -
Madhepur, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-03-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Madhepur P.S. Case No. 144 of 2023 for the offence registered under sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code lodged on 02.06.2023 by the informant, Manju Devi.

3. As per the prosecution story, the informant alleged that there was quarrel between the two ‘gotnis’ in which the husbands also stepped in whereafter the allegation is against Chhote Lal Mukhiya (husband of the petitioner) that he gave ‘dabiya’ blow on the neck of Mahesh Mukhiya, husband of the informant who are actually own brothers. The omnibus allegation of assault is against other accused persons.



4. Learned Counsel for the petitioner submits that a bare perusal of the FIR would show that the main allegation is against Chhote Lal Mukhiya, she is a lady, having no criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the aforesaid submissions put forward by the parties as also that the main allegation is against Chhote Lal Mukhiya, she is a lady, 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 J.M.-1st Class, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No. 144 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 her *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 her 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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