

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23370 of 2024

Arising Out of PS. Case No.-400 Year-2022 Thana- MANSI District- Khagaria

=====

Mausam Devi @ Mousam Kumari Wife of Sintu Yadav Resident of Village-
Ekaniya, P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Mr. Raj Kishore Poddar, learned counsel for
the petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner is apprehending her arrest connection with Mansi P.S. Case No. 400/2022, F.I.R. dated 14.11.2022 registered for the offences punishable under Sections 341, 323, 379, 498A, 504, 34 of the Indian Penal Code.

3. Allegation against the petitioner is that the petitioner caught hold the informant and other co-accused persons have assaulted the informant with fists and slaps.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case merely on the ground that she is sister-in-law of the informant. He further submits that from perusal of the F.I.R. it appears that the allegation against the



petitioner that she along with other co-accused persons have caught hold the informant and other co-accused persons have assaulted the informant.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts that there is no specific allegation of assault or overt act attributed against the petitioner and the petitioner having clean antecedent, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 400 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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, her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioner has concealed 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)

Ibrar//-

U		T	
---	--	---	--

