

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23339 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Vibha Devi @ Vibha Kumari, Wife Of Sunil Kumar Nirala Vill- Kishunpur
Madhuban, Ps- Kudhni Dist- Muzaffarpur, P/A- Moh- Atardah Indira Colony
Kachchi Pakki Ps- Sadar Dist- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr.Arvind Kumar
For the Opposite Party/s :	Mr.Shailendra Kumar
	Mr.Ram Kumar
	Mr.Anmol Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-05-2024 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.
2. The petitioner seeks bail in anticipation of her
arrest in a case registered for the offences punishable under
Sections 406, 420, 506, 504, 326 and 34 of the Indian Penal
Code.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is a woman
and has been falsely implicated in the instant case by the
informant. It is further submitted that prima facie in the nature
of allegation, no offence under Section 326 of the I.P.C. is made
out as no one was injured by acid attack, as such, the said



allegation was levelled only to give a serious colour to the case when the dispute is purely civil in nature. It is further submitted that the husband of the petitioner entered into an agreement with the informant for selling a piece of land and based on the agreement, he received Rs.48 Lacs in his account, but then, the sale deed was not executed.

4. The learned counsel for the petitioner submits that husband of the petitioner was taken in custody and was granted the privilege of provisional regular bail as the husband of the petitioner had agreed to return the amount. It is further submitted that husband of the petitioner out of Rs.48 Lacs has returned an amount of Rs.14 Lacs and odd and rest of the amount shall also be returned. It is further submitted that the petitioner has been implicated in the instant case with a view to coerce her husband into submission.

5. Learned A.P.P. along with learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that husband of the petitioner has been granted the privilege of provisional regular bail and he has returned an amount of Rs.14 Lacs and odd.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur in connection with Muzaffarpur Sadar P. S. Case No.338 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

