

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35231 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- AMNAUR District- Saran

Mira Devi wife of Dilip Kumar Singh Village PO- Dharhara Kala Ps- Amnour
Dist- Saran Petitioner/s

Versus

The State of Bihar Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Singh, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner, the State and
the informant.

2. The petitioner is apprehending arrest in connection with Amnour P.S. Case No. 149 of 2023 instituted under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code and later section 302 was added lodged on 29.06.2023 by the informant, Aadil Raj.

3. As per the prosecution story, the informant alleged that he and his father after attending 'Sharadh' Ceremony were returning, when all the accused persons which include this petitioner as also the three unknown attacked him. The assault theory has been pointed up to Rupesh Kumar who gave knife blow, Dilip Singh had a wooded rod which hit the head of the informant while Golu Kumar gave repeated 'lathi' blow to both the father and the son.

4. So far as this petitioner is concerned, the allegation is



that she caught hold of the informant's hand, both became unconscious and taken to Primary Health Center and then PMCH where his father succumbed to injuries. Accordingly, the FIR.

5. Learned counsel for the petitioner submits that a perusal of the FIR would show that only to implicate all the family members, a role has been assigned to the lady. There is counter case also and the injury is/are also from the other side which has not been narrated in the present case.

6. Learned counsel for the informant on the other hand submits that a bare perusal of the FIR would show that this petitioner had caught hold of the informant which helped the others accused persons in assaulting him.

7. Taking into account the aforesaid submissions as also the perusal of the FIR, no role of attack is attributed to this lady and as undertaking given by learned counsel for the petitioner she will be diligently appearing in trial, this Court is inclined to extend her privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Amnour P.S. Case No. 149 of



2023 to the satisfaction of learned A.C.J.M.-VIII, Saran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/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 co-operate in the investigation and make herself available to the police as and when required;

(iv) 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;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

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