

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49368 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- KHAJEKALA District- Patna

Radha Devi WIFE OF VICKKY KUMAR VILLAGE- BAXI MOHALLA,
PS- KHAJEKALA DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Awadhesh Kumar Singh, APP
For the Informant :	Mr. Anupam Prabhat Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner, State and the Informant.

2. The petitioner is apprehending her arrest in connection with Khajekala P.S. Case No. 136 of 2023 for the offence under Sections 147, 149, 447, 448, 341, 323, 324, 325, 307, 326, 354, 379 and 385 of the I.P.C. lodged on 11.04.2023 by the informant, Ajay Kumar.

3. As per the prosecution story, the informant alleged that the accused persons suddenly, armed variously entered his house and allegation against Banti Gope that he gave repeated iron rod blow causing injuries. When his family members came to the rescue, allegation is that Banti Gope and Shrawan Gope also assaulted his mother causing fracture in the hand and



outrage the modesty of his wife, the allegation against Shrawan Gope is also of breaking the tooth of her mother. Then, there is allegation against all the accused persons including this petitioner of looting inside the house. This followed the FIR.

4. Learned counsel for the petitioner submits that the bare perusal of the FIR would show that allegation mainly is against Banti Gope and Shrawan Gope and all others have been implicated only because of family relationship.

5. Learned counsel for the informant on the other hand has taken this Court to the FIR to show that the petitioner alongwith other accused persons entered the house and looted the property.

6. The allegation is there, it is mainly against Banti Gope and Shrawan Gope of assault, omnibus allegation is there against all the accused persons of looting certain article from the house and the petitioner is a lady, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned JM-1st, Patna City in connection with



Khajekala P.S. Case No. 136 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following 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 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 her bail bonds.

(Rajiv Roy, J)

Adnan/-

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