

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40742 of 2024

Arising Out of PS. Case No.-779 Year-2020 Thana- FATUA District- Patna

Ranju Devi wife of Awadhesh Kumar Village- Mohiuddinpur Ps- Fatuha Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2024 Heard Mr. Ashutosh Singh, learned counsel for the petitioner and Mr. Rajendra Singh, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Fatuha P.S. Case No. 779 of 2020, F.I.R. dated 31.10.2020 for the offences punishable under Sections 341, 323, 337, 338, 307, 379, 504/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner gave a rod to the co-accused, Awadhesh Kumar who assaulted the informant on his head by means of the said rod resulting into several injuries to the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case merely on the ground that she is the wife of the co-accused, Awadhesh Kumar. He further submits that there is no



specific allegation of any assault or overt act attributed against the petitioner rather the only allegation against this petitioner is that she has handed over the rod to her husband who has assaulted the informant. Apart from the informant is the own brother of the husband of the petitioner and due to previous dispute the present occurrence took place. He further submits that injury report of the informant suggests that the injury is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st Patna City, District-Patna in connection with Fatuha P.S. Case No. 779 of 2020,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his 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)

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