

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48339 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- INDUSTRIAL District- Bhagalpur

Sharda Devi Wife of Sunil Das R/O Vill.- Fatehpur, P.S.- Industrial Area,
Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar No.6, Advocate
For the State : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard the parties.

2. The petitioner is apprehending her arrest in connection with Industrial Area P.S. Case No. 08 of 2024 for the offence under sections 341, 323, 324, 307 and 34 of the I.P.C. lodged on 13.01.2024 by the informant, Abhishek Kumar.

3. As per the prosecution story, the informant alleged that the accused persons came to his place and wanted the money back and in the said process, upon the demand of the husband, allegation is that this petitioner brought the sickle and gave it to her husband who assaulted the informant causing injury on his head. The accused thereafter, escaped and the informant was sent to Jawaharlal Nehru Medical College & Hospital and later to Patna. The allegation is that the informant had taken a loan of Rs.18,000 and dispute arose as he was



unable to return it.

4. Learned counsel for the petitioner submits that assault has been made by the husband who is in custody and only to implicate the wife, the role has been assigned to her that she went to the house and brought the sickle.

5. Learned APP opposes the prayer submitting that as per the F.I.R., she brought the sickle which was used by her husband to assault the informant. Though, there is allegation, the main role of assault is on the husband, the petitioner is a lady, she will be facing the trial

6. Though, there is allegation, the main role of assault is on the husband, the petitioner is a lady, F.I.R. lodged, she will be facing the trial.

7. Taking into account the aforesaid facts and submissions made on behalf of the parties, this Court is inclined to extend her the privilege of anticipatory bai.

8. 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 Judicial Magistrate 1st Class, Bhagalpur, in connection with Industrial Area P.S. Case No. 08 of 2024



subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 his 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 his bail bonds.

(Rajiv Roy, J)

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