

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52395 of 2024

Arising Out of PS. Case No.-86 Year-2016 Thana- SIKTI District- Araria

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Lalita Devi Wife Of Prakash Yadav Resident Of Village - Navtoli
(Kowwakoh), P.S. - Sikty (Bardaha), District - Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in this case is seeking regular bail in connection with Sikty (Bardaha) P.S. Case No. 86 of 2016 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 436, 427 and 504 of the Indian Penal Code. She is in custody since 27.04.2024. The petitioner has got no criminal antecedent.

3. As per the prosecution story, on 23.05.2016 while the informant was constructing her house, all the FIR named accused persons variously armed came and started abusing and demolished the informant's house. It is alleged that when the informant's son and her *devar* tried to stop them, the accused persons assaulted both of them due to which they sustained

grievous injuries.

4. Learned counsel for the petitioner submits that the petitioner is a lady and though he has been named in the FIR but there no allegation of committing any overt act against her. It is submitted that she has suffered paralysis attack. It is further submitted that this case has arisen on account of a land dispute, both the parties are *gotias* and neighbour.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Having regard to the submissions that this petitioner is a lady who is named in the FIR but no overt act has been alleged against her, she has suffered paralysis attack and the case has arisen on account of a land dispute, both the parties are *gotias* and neighbour, the petitioner is in custody since 27.04.2024, in the circumstances, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Araria in connection with Sikty (Bardaha) P.S. Case No. 86 of 2016, subject to the condition as laid down under Section 437 (3) Cr.P.C.

7. 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 her criminal antecedent, the court below shall take steps 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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