

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53994 of 2024

Arising Out of PS. Case No.-295 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

=====

GITA DEVI W/O AKHILESH RAM R/O VILLAGE- DANI BIGHA, NEAR
HANUMAN MANDIR, WARD NO. 02, P.S- TOWN, DISTT.-
AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anil Kumar Sinha
For the Opposite Party/s : Mr.Surendra Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 231-08-20241. Heard the parties.
2. The petitioner apprehends her arrest in connection with Aurangabad (Town) P.S. Case No. 295 / 2024 dated 30.04.2024 registered for the offence punishable under Section 381 of the I.P.C.
3. The prosecution case in brief is that the petitioner- Gita Devi was working as a maid in the house of the informant – Ashok Kumar Singh. It is alleged that the petitioner has stolen gold ornaments from his house on 17.04.2024. On that day only the father of the informant was present in the house.
4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and she has not committed any offence in the manner alleged. He submits that



the husband of the petitioner has also filed a case vide Aurangabad SC / ST P.S. Case No. 12 / 2024 registered for the offences punishable under Sections 341, 323, 354, 504 and 506 / 34 of the I.P.C. and Section 3(i)(r)(s)(w) of the SC / ST Act against the informant and others. He next submits that no incriminating articles and / or theft ornaments have been recovered from the possession of the petitioner. He further submits that the date of alleged occurrence is 17.04.2024 and the F.I.R. was lodged on 30.04.2024 i.e. after delay of 13 days without any plausible explanation which goes to show that the informant has lodged the present case as an after thought. The petitioner is a lady and has got no criminal antecedent.

5. I have heard learned counsel for the petitioner and perused the materials available on record. From perusal of the F.I.R. it is evident that the petitioner, working as a maid in the house of the informant, reached on the date of alleged occurrence at 7:00 A.M. before the regular time of 11:00 A.M. and stole golden necklace weighing 34 grams, golden bangles weighing 28 grams and golden chain weighing 25 grams from the Godrej and when she was asked about the occurrence she left the work.

6. Considering the nature of allegation and the fact that petitioner is specifically named in the FIR and for investigation



custodial interrogation may be required, I am not inclined to grant the privilege of anticipatory bail to the petitioner. The prayer for same stands rejected.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

