

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52889 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- OBRA District- Aurangabad

Pinki Devi Wife of Rakesh Kumar Resident of Village - Aranda, P.S.- Obra,
District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Ajit Ranjan Kumar, learned counsel for the

petitioner as well as Mr. Rajiv Nayan, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Obra P.S. Case No. 148 of 2024, F.I.R. dated
10.04.2024 for the offences punishable under Sections 341, 323,
342, 307, 354, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, the petitioner along
with other accused persons armed with lathi, danda and sword,
assaulted the informant's brother due to which he received head
injury. It is also alleged that they also abused and threatened the
informant.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been



implicated in the present case. There is case and counter case. He further submits that she has made accused in the present case merely on the ground that she is the family member of the other co-accused person. He further submits that from persual of the F.I.R., it appears that there is no specific allegation of any assault or overt act against this petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is no specific allegation of any assault or overt act against this petitioner, 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 Sub-Divisional Judicial Magistrate Daudnagar, Aurangabad (Bihar) in connection with Obra P.S. Case No. 148 of 2024, 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 her absence on two consecutive dates without sufficient reason, her 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 her 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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