

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64693 of 2024

Arising Out of PS. Case No.-134 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

Arohi Mahto @ Aroti Moadk @ Arohi Moadk @ Arohit Kumari @ Arti Kumari @ Aroti Modak Wife of Singheshwar Mukhiya Resident of Village- Dasaut Nankar, P.S.- Alinagar, Distt.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anila Devi Wife of Singheshwar Mukhiya Resident of Village- Dasaut Nankar, P.S.- Alinagar, distt.- Darbhanga at present address daughter of Gully Mukhiya, resident of village- Mahatwar, P.S.- Ghyanshyampur, Distt- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Adv.
For the Opposite Party/s : Mr. Bharat Lal, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 341, 323, 308, 494, 498A, 379, 354B and 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. Allegedly, petitioner is said to have tortured upon the informant physically and mentally and also ousted her out of her matrimonial house in association with her family members.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no



offence. No such occurrence as alleged has ever taken place. She has been falsely implicated in this case due to ulterior motive. She is second wife of co-accused Singheshwar Mukhiya. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that earlier petitioner has been made accused in Complaint Case No. 361 of 2019, by the informant for the same nature of offence and in the aforesaid complaint case, she has been granted anticipatory bail by this Court. Learned counsel further submits that the husband of the informant has also been granted anticipatory bail in the said case by this Court on certain conditions and one of the conditions was to pay Rs. 3,000/- per month to the informant. As per aforementioned condition, petitioner has been paying the aforesaid amount to the informant every month. It is further submitted that the husband as well as mother-in-law of the informant has been enlarged on bail by this Court vide order dated 22.01.2024 passed in Cr. Misc. No. 65000 of 2023. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the



case, since there is no specific overt act against the petitioner and husband of the informant has already been granted bail by this Court, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ghanshyampur P.S. Case No. 134 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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