

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65599 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- BANGARA District- Samastipur

Amrita Devi W/o Pankaj Kumar Singh R/o Village- Hasanpur Kainju, P.S-
Bangra, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Mr. Anirudh Kumar Sinha, learned counsel
for the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Bangra P.S. Case No. 52 of 2024, F.I.R. dated 15.04.2024 for the offences punishable under Sections 341, 323, 504, 506, 307, 354, 379 and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner have assaulted the informant by means of lathi and rod and also wrap gamcha around his neck in order to kill him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. Informant and the husband of the petitioner are own brothers and there is admitted land dispute



between the parties and due to aforesaid, the present occurrence has taken place. He further submits that although there is allegation against the petitioner that she along with other accused persons have assaulted the informant but from perusal of the F.I.R it appears that there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against this petitioner, Navjyoti Kumari and two others.

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, there is admitted land dispute between the parties, there is no specific allegation against the petitioner and the petitioner is the wife of the co-accused, namely, Pankaj Kumar, 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 Judicial Magistrate 1st Class, Samastipur in connection with Bangra P.S. Case No. 52 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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