

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.64338 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- Chhaudahi District- Begusarai

Sanjukta Devi @ Sanyukta Devi W/o Rajendra Sahu R/o vill - Ekamba, ward
no. 4, P.S. - Chhaurahi, Distt. - Begusarai Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Advocate
For the State : Mr. Shyameshwar Dayal, APP
For the Informant : Mr. Braj Bhushan Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-10-2024 Heard Mr. Kumar Binode Bariar, learned counsel
for the petitioner, Mr. Braj Bhushan Pandey, learned counsel
appearing on behalf of the informant as well as Mr.
Shyameshwar Dayal, learned Additional Public Prosecutor for
the State.

2. The petitioner is apprehending her arrest in
connection with Chhaurahi P.S. Case No. 55 of 2024, F.I.R.
dated 03.06.2024 for the offences punishable under Sections
341, 323, 307, 379, 354(B), 448, 506/34 of the Indian Penal
Code.

3. According to prosecution case, all the accused
persons including the petitioner have brutally assaulted the
informant and her family members. It is alleged that the co-
accused persons, Rohit Kumar Sahu, Birju Sahu and Rajendra
Sahu attacked on the informant's husband due to which he got
head injury. Thereafter, all the accused entered into the
informant's house and looted cash and gold ornaments.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is the wife of the co-accused, Rohit Kumar Sahu. He further submits that it appears from the F.I.R that although the petitioner is named in the F.I.R but there is no specific allegation of any assault or overt act attributed against the petitioner rather the specific allegation is against the co-accused, Rohit Kumar Sahu who has assaulted the husband of the informant on his head. He further submits that there is case and counter case between the parties and due to admitted land disputes the present occurrence has taken place.

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

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Begusarai in connection with Chhaurahi P.S. Case No. 55 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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