

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65378 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- JAYNAGAR District- Madhubani

Saimul Khatoon Wife of Md Firoj R/o - Rajputana Tol, Ward No.10, P.S - Jay
Nagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Mr. Ashok Kumar, learned counsel for the

petitioner and Mr. Tarkeshwar Nath Thakur, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Jay Nagar P.S. Case No. 184 of 2024, F.I.R. dated 20.06.2024 for the offences punishable under Sections 341, 323, 504, 506, 307, 354B and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner were making a road on the land of the informant, when the informant opposed they pelted stones upon the informant due to which the informant received injury on the head.

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



implicated in the present case. He further submits that due to admitted land dispute the present occurrence has taken place. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act against the petitioner rather there is general and omnibus allegation attributed against all the accused persons including the petitioner. He further submits that injury inflicted upon the informant is simple in nature.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt act against the petitioner and the petitioner is a lady, 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, Madhubani in connection with Jay Nagar P.S. Case No. 184 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, his 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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