

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83170 of 2024

Arising Out of PS. Case No.-457 Year-2024 Thana- DARIYAPUR District- Saran

1. Pinki Devi W/o Jitendra Kumar Singh @ Pinku Singh R/o Village-Sajjanpur Matihan, P.S.- Dariyapur, District- Saran
2. Rinki Devi W/o Arvind Kumar D/o Late Krishna Singh, R/o Village-Sajjanpur Matihan, P.S.- Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioners and Mr. Umanath Mishra, learned APP for the State.

2. Learned counsel for the petitioners submits that petitioner no. 2, namely Rinki Devi has been arrested in this case. In that circumstance, he seeks permission to withdraw this bail application in respect of petitioner no.2.

3. Permission is accorded.

4. This application is dismissed as withdrawn in respect of petitioner no. 2, namely, Rinki Devi.

5. The instant application for anticipatory bail has been filed by the petitioner no.1 apprehending her arrest in connection with Dariyapur P.S. Case No. 457 of 2024 instituted



for the offence under Sections 103, 3(5) of the B.N.S.

6. The case of the prosecution is that petitioners along with others being armed with sword, farsa and knife came and started assaulting the husband of the informant. It is further alleged that One Nitin Kumar Singh assaulted with the sword in the stomach of informant's husband. After the assault, the husband of the informant was badly injured. The accused persons fled from the place of occurrence. Thereafter, the victim was declared dead by the doctors.

7. Learned counsel appearing on behalf of the petitioner has submitted that petitioner no.1 is innocent and has committed no offence. She has falsely been implicated in this case. He further submitted that from perusal of the FIR, there is no specific allegation of assault against the petitioner no.1 rather the specific allegation of assault upon the informant's husband is against co-accused Nitin Kumar Singh and Satendra Singh. Petitioner no. 1 is lady and she has got no criminal antecedent.

8. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner no.1.

9. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the **petitioner no.1, namely, Pinki Devi on bail**. The petitioner is directed to surrender in the Court below



within a period of four weeks from today and in the event of her arrest or surrender in connection with Dariyapur P.S. Case No. 457 of 2024, she will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saran, Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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