

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85000 of 2024

Arising Out of PS. Case No.-56 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Priya Agarwal D/O Satyanarayan Vijay Resident Of Gali No.- 7, Pagla Danga
Vasuda Pali Park, District- Kolkata, West Bengal

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rajnandni Kumari Wife Of Roshan Vijay R/O Bypass Chowk Pachna Road
Lakhisarai, P.S.- Lakhisarai, Dist.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shashi Shekhar Kumar Prasad
		Mr. Surya Nandan Kumar, Adv
For the Opposite Party/s	:	Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-12-2024 1. 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,
498A, 504, 506 and 34 of the Indian Penal Code and Sections 3
and 4 of Dowry Prohibition Act.

3. The learned counsel for the petitioner submits that
petitioner had earlier moved before this Court seeking
anticipatory bail by filing Cr. Misc No. 58553 of 2024. It is next
submitted that Cr. Misc No. 58553 of 2024 was dismissed as
withdrawn with liberty to move this Court in the event if need
arises on the ground that petitioner was already granted the



benefit of Section 41A of the Cr.P.C.

4. The learned counsel next submits that no doubt benefit of Section 41A of the Cr.P.C was given to the petitioner, but when Cr. Misc No. 58553 of 2024 was taken up on 28-8-2024, the charge-sheet against the petitioner had already been filed, but inadvertently the said instruction was not given to the learned counsel appearing on behalf of the petitioner. It is next submitted that charge-sheet in the case against the petitioner has been filed and thereafter cognizance was taken up on 25-11-2023 itself.

5. It is next submitted that the petitioner has been implicated in the instant case by the informant, being sister of husband of the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation against the petitioner is general and omnibus in nature and whenever any dispute arises in between the husband and the wife, the entire family members are implicated in a mechanical manner with general and omnibus allegation.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahila P.S. Case No. 56 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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