

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82978 of 2023

Arising Out of PS. Case No.-403 Year-2023 Thana- KAUWAKOL District- Nawada

Sumitra Devi @ Sumintra Devi Wife of Lalan Chaudhary R/o Village-
Chongwa, P.S.- Kauwakol, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 17-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with Kauwakol P.S. Case No.403 of 2023 instituted under Sections 341, 323, 452, 427, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner alongwith other co-accused persons armed with weapons came at the informant's house and brutally attacked the informant, causing injury to the stomach rib and finger of the informant and also looted gold & silver jewellery and Rs.70,000/-.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to previous enmity. He further submits that petitioner



and informant both are neighbor and there is case and counter case between both the sides with respect to the said occurrence. He also submits that the alleged occurrence has taken place on 22.06.2023, however, the F.I.R. has been lodged with inordinate delay on 04.07.2023 without any explanation which creates doubt in the prosecution case. Learned counsel submits that petitioner is a lady who was pregnant at the time of occurrence and she has one criminal antecedent which was a complaint case filed by the informant of this case. He further submits that the co-accused Lalan Chaudhary has been granted regular bail by this Court vide order dated 08.02.2024 passed in Cr. Misc. No.82112 of 2023. He also submits that petitioner undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned J.M. 1st, Nawada in connection with Kauwakol P.S. Case



No.403 of 2023, subject to the conditions laid down in Section
438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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