

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84188 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- RIGA District- Sitamarhi

Gaytri Devi @ Gayatri Devi Wife Of Ramsagar Singh, R/O Village- Ward
No.- 06, Kharshan, P.S.- Riga, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jagjit Roshan, Advocate

For the Opposite Party : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-03-2024 Heard Mr. Jagjit Roshan, the learned counsel for
the petitioner and Mr. Sanjay Kumar Singh, the learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Riga PS Case No. 76 of 2023, FIR dated
23.02.2023, registered for the offences punishable under
Sections 341, 323, 324 and 307 read with Section 34 of the
Indian Penal Code and after investigation charge-sheet has been
submitted under Sections 341, 323, 324, 307 and 302 read with
Section 34 of the Indian Penal Code.

3. According to prosecution case, the co-accused
persons assaulted the informant and her family members by
means of iron-rod owing to land dispute, due to which the father
of the informant lost consciousness. It is further alleged that the
co-accused persons also took away golden chain worth Rs.



1,00,000/- (Rupees one lakh) and other costly items from the house of the informant including cycle and threatened them with dire consequences.

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 upon perusal of the FIR, it appears that there is no specific allegation of any assault or overt act attributed against the petitioner and due to admitted land dispute the present occurrence has taken place.

5. The 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 and circumstances and the fact that the petitioner has clean antecedent and there is no specific allegation of any assault or overt act attributed against the her, let the petitioner, above-named, in the event of her arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Additional Chief Chief Judicial Magistrate-VI, Sitamarhi, where the case is pending in



connection with **Riga PS Case No. 76 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the trial Court.

(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 trial Court 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 trial Court 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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