

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1544 of 2024

Arising Out of PS. Case No.-263 Year-2018 Thana- BOCHAHAN District- Muzaffarpur

Radhika Devi Wife Of Santosh Sahni Resident Of Village - Karanpur,
Bochahan, South P.S. Bochahan, District - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Bochahan P.S. Case No.263 of 2018 registered for the offences punishable under Sections 323, 325, 354(B), 457, 380, 376 and 511/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, on 07.10.2018 at about 5.00 AM when the informant was alone in her house, one Santosh Sahani entered into her house in drunken condition and caught the breast of the informant. It is alleged that the said Santosh Sahani torn the saya and saree of the informant and made her naked. It is further alleged that when the informant raised alarm, her gotani, husband and one dumb boy came to

save her but the said accused assaulted them by lathi, danda and rod. It has been further alleged that accused Suraj Sahani with an intention to kill her, inflicted lathi blow on her due to which her right hand was broken. It is also alleged that the accused Suraj Sahani took away Rs.5,000/- in cash and clothes etc.

4. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner and she has no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that there is no specific allegation against the petitioner and she has no criminal antecedent, this Court directs that in case of her arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIV-cum-Sub Judge- 1st, Muzaffarpur in connection with Bochahan P.S. Case No. 263 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--