

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5568 of 2024

Arising Out of PS. Case No.-62 Year-2022 Thana- MOKAMAH District- Patna

Khushbu Kumari D/o Late Rajkumar Sharma Resident of Village- Doctor Toli
Ward No. 07, P.S.- Mokama, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-07-2024 Heard Mr.Kumar Kamal Nayan, learned counsel for
the petitioner and Mr.Shailendra Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Mokama P.S.Case No.62 of 2022,FIR dated
25.02.2022 registered for the offences punishable under
Sections 302/120B/34 of IPC.

3. Prosecution story, in brief is that the informant
Mintu Devi, she has been stated in her written report that her
son Karandeep Kumar after receiving the call of Lucky @
Pallavi Kumari at 07:30 PM told that he is coming after one
hour but he did not return back to his home in the night and
mobile was also closed since the night and then they started
search her son and in due course of search she went to rental



house of Khushbu she was residing in the house of Lucky and Khushbu Kumari told that Karandeep Kumar has absconded with Lucky and then the informant visited the house of Lucky but no one present in the house and she was informed that Lucky has come and as such you search your son if on the same day accused Khusbu informed the Karandeep has been arrested by police in a case of liquor and if you will go there then police may arrest you then she went Jasidish but no clue was found and then the informant found that Khushbu Devi has given wrong information and one Rupesh Kumar was also giving threat that if he will live with Chandan and Govind then may, be danger.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground of suspicion. Further submits that the informant is not the eye witness of the alleged occurrence and except the suspicion no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

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

6. Considering the aforesaid facts, petitioner has clean



antecedent, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-I, Barh, Patna in connection with Mokama P.S.Case No.62 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

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

(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 court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/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.

(Rajesh Kumar Verma, J)

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