

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1071 of 2024

Arising Out of PS. Case No.-127 Year-2023 Thana- DANIYAWAN District- Patna

Babli Devi @ Babita Devi [Female, aged about 42 years] Wife of Dinesh Paswan, resident of Village -Taraua, Police Station -Daniawan, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Mr. Sanjay Kumar @ S.K., learned counsel appearing on behalf of the petitioner and Mr. Pranav Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Daniawan P.S. Case No. 127 of 2023, registered for the offence punishable under Sections 147, 149, 341, 323, 448, 332, 307, 353, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner along with other accused persons named therein and 6-7 unknown persons, had allegedly obstructed the police personnel in performing their duty while they were going to arrest one accused, namely, Brajesh Paswan in Daniawan P.S. Case No. 72 of 2023.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is an innocent lady and has falsely been implicated in the present case. He further submitted that the allegation made in the FIR is not sustainable because the accused, namely, Brajesh Paswan of Daniawan P.S. Case No. 72 of 2023 was already arrested by the police personnel and she being lady, had not obstructed in any manner in performing their official duty. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that accused, namely, Brajesh Paswan of Daniawan P.S. Case No. 72 of 2023 was already arrested by the police personnel. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna City, in connection with Daniawan P.S. Case No. 127 of 2023, subject



to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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