

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8218 of 2024

Arising Out of PS. Case No.-258 Year-2017 Thana- PURNEA SADAR District- Purnia

Janti Devi @ Gayatri Devi, Wife of Late Chhatthu Goswami Resident of Village - Birpur Pokharia Benguabad, P.S. - Ranipatra (Muffasil), District – Purnea.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 12-07-2024 1. Heard learned counsel appearing
on behalf of the petitioner and learned
Additional Public Prosecutor Mr. Raj Kishore
Singh appearing on behalf of the State.

2. The accused/petitioner is named in F.I.R. and apprehending her arrest in connection with Sadar (Mufassil) P.S. Case No. 258 of 2017 registered for the offences punishable under Sections 147, 148, 149, 323, 325, 384, 447, 436, 504 and 506 of the Indian Penal Code.

3. The allegation against the petitioner is to assault the informant and others causing



bodily injuries along with other co-accused persons/family members and also to cause mischief by fire, damaging the dwelling house of informant.

4.It is submitted by learned counsel that the petitioner was falsely implicated with present case, as son of informant took items equivalent to Rs. 2 lakh on credit from the shop of petitioner no. 2 and when demand was raised, he was falsely implicated with present case. It is submitted that allegation as to cause mischief by fire is appearing very much general and omnibus against this petitioner. It is submitted that even if narration of FIR be taken into consideration on its face, it cannot be gathered *prima facie* that the house which was alleged to be put on fire was using for designated purpose as defined under Section 436 of the Indian Penal Code. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent.



5. Learned APP opposes the prayer of bail.

6. In view of the above-mentioned facts and circumstances and by taking note of fact as the allegation against the petitioner is very much general and omnibus as to cause alleged mischief by fire, accordingly, the above-named petitioner, in the event of her arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sadar (Mufassil) P.S. Case No. 258 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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