

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3450 of 2024

Arising Out of PS. Case No.-868 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Priya Raj @ Chhoti D/o Vijay Pandey Resident of Village- Babu Tola,
Basatpur, P.S. Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Muffasil P.S. Case No. 868 of 2022, registered on 11.12.2022 for the offences under Sections 225, 341, 323, 332, 353/34 of the Indian Penal Code.

3. As per prosecution case, when the police conducted raid at the house of co-accused Vijay Pandey to nab an accused of Kotwa P.S. Case No. 460 of 2022, the petitioner and other co-accused persons resisted the arrest and started manhandling the police party and also attacked the police party.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that the petitioner is unmarried daughter of co-accused Vijay Pandey and in a grudge, she has been named in this case by the informant. The prosecution story is not believable that four persons attacked the police party and they fled away from the spot including the petitioner and only one co-accused person was apprehended. The fact of the case is that the police party went to the petitioner in search of another accused and when they did not find the accused in the house, they took the father of the petitioner in custody without any warrant which was opposed by the petitioner and others. Petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and further considering the possibility of false implication, let the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari/concerned court in connection with Muffasil P.S. Case No. 868 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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