

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3631 of 2024

Arising Out of PS. Case No.-146 Year-2023 Thana- RAJEPUR District- East Champaran

Shobha Devi W/O- Lalan Ray R/O Vill- Bulaki Tola, Ps- Rajepur, Dist- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2024 Heard Mr. Sanjay Kumar, learned counsel for the petitioner and Mr. Arun Kumar Pandey, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Rajepur P.S. Case No. 146 of 2023, F.I.R. dated 27.06.2023 for the offences punishable under Sections 447, 341, 323, 307, 325, 354(B), 379, 506, 504 and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including with petitioner are said to have assaulted the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that from



perusal of the FIR it appears that the FIR is in two parts. He further submits that in first part there is general and omnibus allegation attributed against all the accused persons including the petitioner and in second part there is specific allegation of assault attributed against co-accused person, namely, Pappu Kumar. He further submits that there is case and counter case between the parties.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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 the learned Judicial Magistrate, 1st Class, Motihari Sadar, East Champaran in connection with Rajepur P.S. Case No. 146 of 2023, 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 absence on two consecutive dates without sufficient reason, his 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 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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