

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5644 of 2024

Arising Out of PS. Case No.-253 Year-2023 Thana- BACHHWARA District- Begusarai

ARCHANA DEVI W/O- BABLU PODDAR R/O VILL- WARD NO. 15,
KADRABAD, WARD NO. 10, PS- BACHHWARA, DIST- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 09-04-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Bachhwara P.S. Case No. 253 of 2023 for the offence registered under sections 302, 120(B) and 34 of the Indian Penal Code lodged on 19.08.2023 by the informant, Usha Devi.

3. As per the prosecution story, the lady alleged that the accused persons under conspiracy killed her husband, Baiju Poddar and tried to make it a case of suicide by putting a knot around the neck. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that as the informant and daughter had left the deceased, depressed he committed suicide but different colour has been given. Further, one of the similar placed co-accused, Arjun Poddar has been



extended relief by the co-ordinate bench in Cr. Misc. No. 8867 of 2024.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that as per the case diary, the deceased was beaten by the accused persons in the full view of the villagers though that this fact has not come in the earlier order.

6. Considering that one of the similar placed co-accused has been extended relief, this petitioner is a lady, do not have criminal antecedent, this Court takes the same route and allowed the anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Bachhwara P.S. Case No. 253 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show her *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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