

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5137 of 2024

Arising Out of PS. Case No.-578 Year-2023 Thana- BARACHATTI District- Gaya

Laxminiya Devi W/O ARJUN YADAV @ ARGON YADAV VILLAGE-
JEHALDIH, PS. BARACHATTI, DIST. GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 578 of 2023 registered under Sections 341, 323, 379, 325, 307, 504 and 506/34 of the Indian Penal Code lodged on 16.06.2023 by the informant, Tetri Devi.

3. As per the prosecution story, the informant alleged that while she was sitting in his shop, one Kishori Yadav came in drunken condition and took away Rs. 20,000/-. Upon protest, he called his family members and assaulted. Specific allegation is against Kishori Yadav of using '*khunti*' to injure the head of the informant. According, the FIR.

4. Learned counsel for the petitioner submits that perusal of the FIR would show that it was Kishori Yadav who



went to the shop, snatched Rs. 20,000/- and also assaulted the informant on his head. Only to implicate the other family members, the role has been assigned.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the submissions put forward by the parties as also that the petitioner is a lady, has no criminal antecedent and no specific role has been assigned to her, this Court is inclined to extent her the privilege of 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 ACJM -II, Sherghati, Gaya in connection with Barachatti P.S. Case No. 578 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 his/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 his/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 his 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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