

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3076 of 2024

Arising Out of PS. Case No.-346 Year-2023 Thana- BARAUNI District- Begusarai

KHUSHBU DEVI @ KHUSHBU KUMARI W/o Chitranjan Yadav @
Khaltha Yadav Resident of Village-Chaman Bind Toli, P.S.-Barauni, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate
For the Opposite Party/s : Mrs.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 12-07-2024 Heard Mr. Amar Kumar Singh, learned counsel for
the petitioner and Mrs. Sucheta Yadav, APP.

2. The petitioner is apprehending arrest in connection
with Barauni P.S. Case No. 346 of 2023 instituted under
Sections 363, 365 of the Indian Penal Code lodged on
10.07.2023 by the informant, Rabindra Yadav.

3. Pursuant to the last order dated 24.4.2024, a
counter affidavit on behalf of the Superintendent of Police,
Begusarai has come and para-6 shows that the lady, Simpi
Kumari alongwith Shivam Kumar and Shubham Kumar have
been recovered and she has made statement under section 164 of
the Cr.P.C. and according to them, the husband who is the
informant of the case, used to beat her and fed up with that, she
left the place and was working in Samastipur.

4. From the said counter affidavit of the



Superintendent of Police, Begusarai, it is clear that the informant-husband is the main culprit who in an intoxicated mind used to assault his wife which has been supported by the sons.

5. In that background, this petitioner, who is a lady who do not have criminal antecedent and now the wife of the informant as well as the children have been recovered, deserves bail.

6. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Barauni P.S. Case No. 346 of 2023 to the satisfaction of learned C.J.M., Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative 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 her



bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make herself available to the police as and when required;

(iv) 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;

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

(Rajiv Roy, J)

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