

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12911 of 2025

Arising Out of PS. Case No.-84 Year-2021 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Reshmi Devi W/o- Late Naresh Lal Singh Village- Tal PS- Haspura Distt-
Aurangabad bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sita Kumar Wife of Pankaj Kumar Village- Tal Ps- Haspura Dist-
Aurangabad

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2025 Heard Mr. Uday Kumar, learned counsel for the

petitioner and Mr. Manoj Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Complaint Case No. 84 of 2021 for the offences
punishable under Sections 498(A), 494, 323 and 34 of the
Indian Penal Code.

3. According to prosecution case, this petitioner
demanded Rs. 4 lakhs from the complainant and when she
refused, then all the accused persons including this petitioner
started torturing the complainant.

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 the allegation as alleged in the complaint case is false and fabricated and the petitioner has not committed any offences as alleged in the complaint case. Although the petitioner has been granted bail by learned court below but due to the death of her husband she could not surrender within the aforesaid period. Thereafter, the petitioner has again moved before the learned court below for extension of time for surrender but the same was rejected. He further submits that in fact, the son of the petitioner who happens to be the husband of the complainant has already filed maintenance case in the year 2018 itself. He further submits that the son of the petitioner who is husband of the complainant has filed a divorce case in the year 2016 itself and the complainant in retaliation has filed the present complaint petition only to harass the petitioner and her family members.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, earlier the bail application of the petitioner has been allowed by the learned court below and there is no specific allegation against this



petitioner in the complaint petition, 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 Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 84 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 her absence on two consecutive dates without sufficient reason, her 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 her 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.

Vanisha/-

(Rajesh Kumar Verma, J)

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