

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16544 of 2025

Arising Out of PS. Case No.-871 Year-2022 Thana- MUNGER COMPLAINT CASE
District- Munger

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1. Santoshi Kumari W/O Arjun Das Resident of Mohalla- Gayatri Nagar, P.S- Jamalpur, Distt.- Munger.
 2. Vidha Kumari W/O Uday Kumar Anand R/O Mohalla- Baha Chauki, P.S- Dharhara, Distt.- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subhashini Kumari W/O Pankaj Kumar R/O Mohalla- Dariyapur, Ward No. 11, P.S- Jamalpur, Distt.- Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kaushal Kr. Jha, Sr. Adv
	:	Mr. Siddharth Aditya, Adv
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP
For the Informant	:	Mr. Binay Kumar, Adv
	:	Mr. Hafiz Shahbaz, Adv
	:	Mr. Shive Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-05-2025 Heard learned counsel appearing on behalf of

the petitioners and learned Additional Public Prosecutor

appearing on behalf of the State.

2. The accused/petitioners are named in the

complaint case and apprehended their arrest in

connection with Complaint Case No. 871C of 2022

registered for the offences punishable under Sections

269, 270, 326(A) and 406 of the IPC.

3. Allegation against both petitioners is to rub

the body of the new born baby of the complainant by



acid, instead of mustard oil.

4. Learned counsel appearing on behalf of the petitioners submitted that both petitioners were blackmailed by complainant for Rs. 10,00,000/- and for said oblique motive, present complaint case was lodged. It is submitted that Medical Board was also constituted in view allegation as occurrence alleged to be taken place in Bhagalpur Medical College and Hospital, where it was found that incident occurred by an accident and same stands just a minor negligence by health personnels. It is also pointed out that no injury report was annexed with complaint petition and, therefore, no prima-facie case is made out. It is pointed out by learned counsel that complaint petition is also not supported by affidavit contrary to the legal ratio as available through **Priyanka Srivastava and Another Vs. State of Uttar Pradesh, [(2015) 6 SCC 287]** and, therefore, same deserves to be rejected out rightly. It is pointed out that aforesaid complaint was lodged after delay of three months of the



alleged occurrence in a very planned and formulated manner. While concluding the argument it is submitted that both petitioners are govt. employees and ladies of clean antecedent.

5. Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer for anticipatory bail submitted that allegation is serious against both petitioners.

6. In view of aforesaid facts and circumstances and by taking note of the fact as the complaint petition is not supported by injury report and affidavit, where complaint also appears lodged after three months of the occurrence, coupled with the fact as both petitioners are ladies of clean antecedent, accordingly both above named petitioners, in the event of their arrest or surrender before the learned Trial Court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of



the learned Special Judge, Excise Court No. 1,
Munger/concerned Trial Court where the case is pending
in connection with Complaint Case No. 871C of 2022
subject to the conditions as laid down under Section
482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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