

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25081 of 2025

Arising Out of PS. Case No.-732 Year-2024 Thana- WAJIRGANJ District- Gaya

Sonmati Devi @ Sonmanti Devi @ Sonamanti Devi W/O Indradev Ravidas
@ Indradeo Das R/O Vill.- Pated, P.S.- Wazirganj, Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2025 Heard Mr. Aryan Singh, learned counsel for the
petitioner and Mr. Shyam Bihari, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Wazirganj P.S. Case No. 732 of 2024, F.I.R. dated 05.10.2024 for the offences punishable under Sections 126, 115(2), 109, 352, 74, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the petitioner along with her husband, who happens to be the brother-in-law of the informant, started to abuse and assaulted the informant when she was going to her home.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent has falsely been implicated in the



present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R it appears that due to admitted land dispute the present occurrence took place. Although, the petitioner is named in the F.I.R but from perusal of the F.I.R., it appears that there is no specific allegation of any assault or overt act against this petitioner rather the specific allegation of assault is attributed against the co-accused person, namely, Indradeo Yadav and she has been made accused merely on the ground that she is wife of the co-accused person, namely, Indradeo Yadav, who is also the co-accused person in the present case.

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

6. Considering the aforesaid facts, there is no specific allegation of any assault or overact against the petitioner in the F.I.R. and she has been accused merely on the ground that she is wife of the co-accused person, 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 Judicial Magistrate-I, Gaya, in



connection with Wazirganj P.S. Case No. 732 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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