

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36106 of 2025

Arising Out of PS. Case No.-242 Year-2022 Thana- PALANWA District- East Champaran

Bhawani Devi, Female, aged about 57 years, W/O Amika Baitha @ Amiraka
Baitha, R/O Village- Lachhnauta, P.S- Palnwa, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-06-2025 Heard Mr. Anil Kumar, learned counsel appearing on
behalf of the petitioner and Mr. Shailendra Kumar, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Palanwa P.S. Case No. 242 of 2022 registered for the
offence(s) punishable under Sections 341, 323, 379, 354(B),
308, 504 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioner assaulted the
informant and his family members. Further allegation is that the
accused persons entered into the house of the informant and
took away some ornaments and Rs.70,000/-.

4. Learned counsel appearing on behalf of the
petitioner submitted that in view of the bailable offence, the



petitioner was given benefit of Section 41 of Cr.P.C., however, learned District Court has taken cognizance under Section 307 and other allied sections of IPC. There is general and omnibus allegation against the petitioner of having committed theft along with other co-accused persons, however, in want of any specific allegation and also the fact that petitioner, who is a lady, having clean antecedent, deserves to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that general and omnibus allegation has been levelled against the petitioner, who is having clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Raxaul at Motihari, District, East Champaran in connection with Palanwa



P.S. Case No. 242 of 2022, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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