

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39908 of 2025

Arising Out of PS. Case No.-229 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Kavita Kumari, aged about 23 years, Gender- Female, Daughter of Manoj Das, Resident of Village -Rajopur P.S. -Chhaudahi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest in connection with Khodawandpur (Chhaudahi O.P.) P.S. Case No. 229 of 2023 instituted for the offences punishable under Sections 341, 323, 308, 379, 504/34 of the Indian Penal Code.

3. As per the prosecution case, all the accused persons including the petitioner hit the informant with iron rod on her head and when the husband of the informant came to rescue, then all the accused persons also assaulted on his head due to which he became unconscious and fell down on the ground.

4. Learned counsel for the petitioner submits that petitioner is innocent has committed no offence and has falsely been implicated in this case. He further submits that the there is



no specific overt act attributed against the petitioner and there is general and omnibus allegation of verbal abuse. He next submits that the injury sustained by the petitioner upon the informant and her husband is caused to be simple in nature. Petitioner has got clean antecedent as stated in para 3 of the petition.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge, Manjhaul, Begusarai, dated 05.02.2025, it appears that on the basis of written report of the informant Lalita Devi, FIR has been lodged under Sections 341, 323, 308, 379, 504/34 of the Indian Penal Code against eight accused persons including the present petitioner. It also appears that all the offences are bailable in nature except offence under Sections 308 and 379 of the Indian Penal Code. The allegation against the petitioner is general and omnibus in nature and no specific allegation is against the petitioner, petitioner is a lady, aged about 23 years, so considering all these aspects of the case, let the petitioner above named in the event of her arrest or surrender before the Court below within six weeks from today, be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Manjhaul, Begusarai in connection with Khodawandpur (Chhaudahi O.P.) P.S. Case No. 229 of 2023 subject to the conditions laid down in Section 438 (2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

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