

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44041 of 2024

Arising Out of PS. Case No.-476 Year-2023 Thana- PAHARPUR District- East Champaran

1. Anita Devi Wife Of Ashok Prasad Village- Sarha Dubey Tola, Ps- Paharpur, Dist- East Champaran
2. Mandesh Kumar Son Of Ashok Prasad Village- Sarha Dubey Tola, Ps- Paharpur, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Adv.

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

8 05-02-2025 At the outset, it is submitted by learned counsel for the petitioner that Criminal Miscellaneous Application regarding Petitioner No. 2, namely, Mandesh Kumar has already been withdrawn vide order dated 17.12.2024.

2. Heard learned counsel for the petitioner and learned APP appearing on behalf of the State.

3. The petitioner – Anita Devi is apprehending her arrest in connection with Paharpur P.S. Case No. 476 of 2023 for the offence under Sections 447, 341, 342, 323, 324, 325, 307, 354, 379, 506 and 34 of the I.P.C.

4. As per the prosecution story, on the alleged date of occurrence, when the informant was sitting beside the *darwaza* of his house, all the accused persons along with the present petitioner (Anita Devi) came to his house being armed with



weapons. The allegation against the petitioner – Anita Devi is that she dragged the mother of the informant – Rajmati Devi on road by pulling her hair due to which her back got slightly injured. The ear ring and golden chain of the informant's wife has also been snatched by the petitioner – Anita Devi.

5. Learned counsel for the petitioner submits that there is a case and counter case and also an admitted land dispute between the parties. In the entire case diary any witness has not stated against the petitioner that she assaulted the injured in any manner. Only allegation in FIR against the petitioner is that she pushed the mother of informant and snatched the ornaments of his wife. He also submits that there is no criminal antecedent against the petitioner.

6. Learned APP as well as learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner.

7. Keeping in view the facts and being a lady and previous land dispute, the petitioner is enlarged on bail.

8. Let the petitioner – Anita Devi be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount



each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Paharpur P.S. Case No. 476 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(S. B. Pd. Singh, J)

Prabhakar/-

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