

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43896 of 2025

Arising Out of PS. Case No.-396 Year-2024 Thana- BARACHATTI District- Gaya

Muskan Kumari @ Muskan Kumar @ Muskan Kinnere @ Roushan Kumar
Sharma S/o- Chandrashekhar Sharma @ Lakshaman Paswan Village- Sobh
Po- Bhadeya PS- Barachatti, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-07-2025 Heard Mr. Shivnandan Bharti, learned counsel for
the petitioner and Mr. Ram Sumiran Rai, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Barachatti P.S. Case No. 396 of 2024, F.I.R. dated 30.08.2024 for the offences punishable under Sections 132, 308(1), 324(1), 352, 351(2) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that the petitioner along with others used to create ruckus at the Dobhi check post and extort money from the drivers by threatening them. It is further alleged that when the informant tried to convince the petitioner and her associates, then



they created law and order situation which caused hindrance in government work as well as loss of revenue.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case and there is no specific allegation against the petitioner. 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.

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

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent, 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 A.C.J.M-II, Sherghati (Gaya) in connection with Barachatti P.S. Case No. 396 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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, his 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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