

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44837 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- TANDWA District- Aurangabad

Sangita Devi W/o Ashresh Chaudhary R/o vill- Ramnagar, P.S.- Tandwa,
distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the State : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-07-2025 Heard Mr. Santosh Kumar Pandey, learned counsel for
the petitioner as well as Ms. Pushpa Sinha-1, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Tandwa P.S. Case No. 47 of 2025, F.I.R. dated
17.04.2025 for the offences punishable under Sections 126(2),
115(2), 109(1), 352, 3(5) of the BNS.

3. According to prosecution case, the petitioner
along with other co-accused persons is said to have abused and
assaulted the informant due to which he got seriously injured.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she 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 a bare perusal of the F.I.R, it appears that the date of occurrence as alleged in the FIR is 15.04.2025 but the present FIR has been instituted on 17.04.2025 i.e. after delay of two days without giving any explanation of delay. It also appears from the FIR that there is no specific allegation of any assault or overt act attributed against this petitioner rather there is general and omnibus allegation against this petitioner. The specific allegation is against the co-accused person. It is further submitted that there is case and counter case between the parties.

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

6. Considering the aforesaid facts and circumstances, clean antecedent of the petitioner, there is no specific allegation against this petitioner, delay in filing of the FIR and there is case and counter case between the parties, let the petitioner, above named, in the event of her 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, 1st Class, Aurangabad in connection with Tandwa P.S. Case No. 47 of 2025, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure/ 482(2) of the BNSS, 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)

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