

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57654 of 2025

Arising Out of PS. Case No.-1258 Year-2023 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

=====

Nirmala Kumari W/o- Manish Kumar Vill- Bari Goddi PS- Kajraili Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Barsha Kumari W/o- Mohan Kumar Village- Bari Goddi Po- Simariya Ps- Kajraili Dist- Bhagalpur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-09-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 323, 504, 506, 379, 380, 313 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedents and is a woman and the informant alleges that the petitioner assaulted her with a *lathi* on her stomach when she was carrying a pregnancy of nine months, on account of which there was a miscarriage. Further, the accused persons used to say that she practices witchcraft.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the instant case by the complainant. It is next submitted that the complainant deliberately instituted a complaint case instead of an F.I.R., fearing that if an F.I.R. is instituted, the police will



investigate and the truth will come out about the miscarriage, but in a complaint case it is easy to allege and to bring witnesses. It is also submitted that the complainant did not bring on record any medical prescription with regard to the miscarriage.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Complaint Case No. 1258 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

Neha/-

U		T	
---	--	---	--

