

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75530 of 2024

Arising Out of PS. Case No.-340 Year-2022 Thana- NAUTAN District- West Champaran

Indu Devi W/o Jitendra Yadav R/o vill - Gahiri Ahir Toli, ward no 7, P.S. -
Nautan, Dist. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable u/s 341, 323, 325, 312, 354, 379, 504, 34 of
the Indian Penal Code.

3. Allegation against the petitioner is of assault on abdomen
of the informant causing miscarriage as well as injuries to her.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged has even taken place. She has falsely
been implicated in this case due to ulterior motive. All the
allegations levelled against the petitioner are totally false and
based on concocted facts. From bare perusal of the FIR, it is
evident that informant Rinku Devi alleged in the FIR that the



petitioner and other co-accused persons assaulted the informant, but she did not disclose anything regarding the miscarriage of pregnancy of five months, but during her statement under Section 161 of Cr.P.C., she has developed a new story and stated that due to the alleged occurrence, she had to face miscarriage of pregnancy of five months. It is further submitted that the injury report of the injured does not support the prosecution case. Nothing specific has been attributed against the petitioner. There is inordinate and abnormal delay of 9 days in lodging the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. The husband of the petitioner, namely, Jitendra Yadav has already been enlarged on regular bail by this Court vide order dated 09.05.2023 passed in Cr. Misc. no. 12211 of 2023. Learned counsel further submits that the petitioner has no criminal antecedent and she has been languishing in custody since 05.08.2024.

5. Learned APP for the State opposes the prayer for bail.
6. Considering the facts and circumstances of the case, the period of custody and the fact that petitioner is a female, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Nautan P.S. Case No. 340 of 2022.

(Anjani Kumar Sharan, J)

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