

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80618 of 2024

Arising Out of PS. Case No.-51 Year-2022 Thana- JHANJHARPUR District- Madhubani

Anita Devi Wife of Radhe Shyam Singh Resident of village- Minapur, Post
Office and Police Station- Parsa, District Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-04-2025 Heard Mr. Santosh Kumar Singh, learned counsel for
the petitioner and Mr. Amitesh Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Jhanjharpur P.S. Case No. 51 of 2022, F.I.R. dated 10.03.2022 for the offences punishable under Sections 406, 420/34 of the Indian Penal Code.

3. As per the First Information Report, through the promise of loan, the petitioner and other co-accused persons deceived the informant and extracted money from her.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. Though petitioner is not named in the FIR, her name transpired during investigation, on the



basis of statement of her brother-in-law. He further submits that except the statement of brother-in-law of the petitioner, no other cogent materials has come during the investigation which suggest the involvement of petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner but fairly submits that no other cogent material has come during the investigation which suggest the involvement of petitioner in the present occurrence.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and nothing has come during the investigation which suggest the involvement of the petitioner in the present occurrence, 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 Chief Judicial Magistrate-1st Class, Jhanjharpur in connection with Jhanjharpur P.S. Case No. 51 of 2022, 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, 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 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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