

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5565 of 2019**

Arising Out of PS. Case No.-15 Year-2017 Thana- ANGARGHAT District- Samastipur

Richa Kumari, aged 19 years (F), D/O Sanjeev Mahto, resident of Village -  
Murgiachak, P.S. - Khanpur, Distt- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Ankita Kumari, W/O Sunny Kumar Choudhary, resident of Village-  
Angarghat, P.S. - Angarghat, Distt.- Samastipur.

... .. Opposite Parties

**Appearance :**

For the Petitioner : Mr.Surya Narayan Roy, Advocate.  
For the State : Mr. Navin Kumar Pandey,A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      31-01-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending her arrest in a case  
for the offence registered under Sections 147, 148, 341, 323,  
354, 307, 379, 504 and 506 of the IPC.

The prosecution story, in brief, is the petitioner and  
other co-accused Sanjiv Mahto after assaulting with fists and  
slaps, pulled the *Scarf* after roping it around the neck of the  
informant with an intention to kill her and her husband has  
assaulted the informant with *Belt* and co-accused Rupesh Mahto  
torn *Sameez* and made her naked.

Earlier anticipatory bail application of the petitioner  
was rejected vide Cr. Misc. No. 26797 of 2017 order dated



13.07.2017 by the then another Co-ordinate Bench of this Court. Subsequently, after investigation, the Investigating Officer submitted the police report on 09.12.2017 where the Investigating Officer found the case to be false against the petitioner and the petitioner was not sent up for trial as the same is evident from Annexure-6 to the present application. Hence, the petitioner has preferred the present anticipatory bail application in light of the police report submitted in the case. In course of investigation, offence under Section 307 of the IPC was found to be false.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Similarly situated co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 20063 of 2017 order dated 01.06.2017 vide Annexure-7 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender



before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Dalsingsarai (Samastipur), in connection with Angarhat P.S. Case No. 15 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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