

Rekha Devi.....Petitioner

Vs

State of Bihar.....Opposite Party

ORDER

20.04.2026. An application for grant of anticipatory bail filed on behalf of above named petitioner namely **Rekha Kumari**, who is apprehending her arrest in connection with Kahalgaon P.S. Case No. 325/2013 registered for the offences punishable u/Ss 341, 323, 353, 504, 427 of the I.P.C. pending before the learned Court of Mr. Om Prakash, J.M. 1st Class, Bhagalpur, is put up for hearing.

Heard Md. Asif Kamal, learned counsel for the petitioner as well as Mr. Binod Kumar Sah, learned Addl. P.P. for the State.

The prosecution story, in short, is that informant namely happens to be the then In charge Deputy Superintendent of Sub-Divisional Hospital, Kahalgaon and on 07.08.2013 at about 01:20 P.M. while he was engaged in treating patients in the O.P.D. room, accused petitioner Smt. Rekha Kumari (A.N.M.R.) entered into his room with slippers in her hand and she started abusing and assaulted him by means of slippers. She also threatened the informant to put him behind the bar or eliminate him, if she is marked absent and also tore the O.P.D. register.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication, submitted that petitioner is a 53 years old woman who has not put any hindrance to informant in discharging his official function. He further submitted that the police has already completed the investigation and released the petitioner u/S 41(1) of the Cr.P.C. and prays to extend the privileges of anticipatory bail on the ground of clean criminal antecedent.

On the other hand, learned Addl. P.P. opposed the prayer for grant of anticipatory bail to the petitioner.

Heard both sides and perused the case record. The accused petitioner is named in the F.I.R., and carries allegation of abusing and assaulting the informant by means of slippers and also threatening the informant if her attendance is marked absent by the informant. The injury report of informant would reveal that the doctor has found one bruise over his right shoulder which has been opined as simple in nature caused by hard and blunt object. The investigation of this case is already complete and police has submitted charge-sheet for the offences punishable u/Ss 341, 323, 353, 504 and 427 of the I.P.C. way back in 2013. During the course of investigation the police did not think it proper to arrest the accused as all the alleged offences were punishable below seven years, as mentioned in para- 15 of the case diary, and extended the benefit of Section 41(1) of the Cr.P.C. to the accused. The case diary does not reflect any criminal

antecedent of the accused petitioner. Therefore, taking into account the extent of punishment, nature of injury, absence of criminal antecedent, completion of investigation and petitioner being a woman, this court is inclined to extend the privileges of anticipatory bail to this petitioner.

Hence, the prayer for grant of anticipatory bail made on behalf of the accused petitioner namely **Rekha Kumari** is hereby **allowed**. It is hereby directed that in the event of arrest or surrender before the learned Court below within 21 days from the receipt of a copy of this order, the petitioner shall be released on bail on furnishing bail bond of **Rs.10,000/- (Ten thousand rupees only)** with two sureties of the like amount each to the satisfaction of the learned Court concerned.

Dictated

Sd/-

(Prabhat Krishna)
IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	20.04.2026
Date of Reserving judgment/order	-
Uploading Date	20-04-2026
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