

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2429 of 2015

Arising Out of PS.Case No. -281 Year- 2013 Thana –KUSHESHWAR ASTHAN District-
DARBHANGA

- =====
1. Arjun Yadav, son of late Ganga Sagar Yadav.
 2. Nirmala Devi, wife of Arjun Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad

For the Opposite Party/s : M/s. Anita Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-01-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Kusheshwar Asthan P.S. Case No. 281 of 2013 registered for the
offences punishable under Section 307 and other minor sections of
the Indian Penal Code.

Taking into consideration that no specific allegation
of assault has been levelled against the petitioner no. 2 who is
lady, I think it proper to extend the privilege of anticipatory bail to
petitioner no. 2, namely, Nirmala Devi and accordingly, it is
ordered that petitioner no. 2, in the event of her arrest/ surrender
within four weeks from the date of receipt of this order to the court
concerned, shall be released on bail on furnishing bail bonds of Rs

10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Biraul at Benipur, Darbhanga in Kusheshwar Asthan P.S. Case No. 281 of 2013 subject to condition as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no. 1 is concerned, his prayer for anticipatory bail stands rejected.

However, if petitioner no. 1 surrenders before the concerned court within four weeks from the date of receipt/production of copy of this order and seeks regular bail, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this rejection order particularly, keeping in mind the allegation levelled against him in the first information report.

(Hemant Kumar Srivastava, J)

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