

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16860 of 2015

Arising Out of PS.Case No. -121 Year- 2014 Thana -ANDER District- SIWAN

1. Mohd. Kamruzama Siddique Son of Late Abdul Ahmad Siddique
2. Mohd. Mohsin @ Mohsin Son of Mohd. Kamruzama Siddique Both
Residents of village - Mian Ke Bhatkan, Police Station - Andar, District -
Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.18014 of 2015

Arising Out of PS.Case No. -121 Year- 2014 Thana -ANDER District- SIWAN

Bilkish @ Bilkish Khatoon Wife of Md. kamruzama Siddique Resident of
Village- Mian Ke Bhatkan , Police Station- Andar District- Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.16860 of 2015)

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. G.S.Gupta(App)

(In Cr.Misc. No.18014 of 2015)

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 14-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under
Section 120B, 307 and 302 of the Indian Penal Code, while this Court,
having the look of the case, is not inclined to grant privilege of
anticipatory bail to the petitioners in Cr. Misc. No. 16860 of 2015
namely Mohd. Kamruzama Siddique and Mohd. Mohsin @ Mohsin, it
would, however, taking into account the sole petitioner in Cr. Misc. No.

18014 of 2015, is a lady and also having no criminal antecedent, be inclined to grant privilege of anticipatory bail to her.

That being so, if the petitioner, namely, Bilkish @ Bilkish Khatoon surrenders before the court below within a period of four weeks from today, she shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Andar P.S. Case No. 121 of 2014; subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if she is, she shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of her bail on the ground of misuse.
- (iv) That the petitioner will be well represented on each and every date in course of trial and if she fails to do so on two

consecutive dates, her bail will be liable to be cancelled on this ground alone.

The prayer for anticipatory bail of the petitioners namely, Mohd. Kamruzama Siddique and Mohd. Mohsin @ Mohsin having been rejected, they must surrender before the court below and if they do so, their prayer for regular bail shall be considered on its own merit without being prejudiced by this order.

(Mihir Kumar Jha, J)

Sujit/-

U			
---	--	--	--