

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18743 of 2015**

Arising Out of PS.Case No. -26 Year- 2015 Thana -MADANPURA District- AURANGABAD

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Asha Singh, owner of Truck No. JH02G 8452. Wife of Late Mahendra Pratap Singh. Resident of Mohalla - Subhash Nagar Bermo, P.O.+ P.S.- Bbarun, District - Bokaro (Jharkhand).

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2      17-06-2015                      Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-467, 468, 471, 420 and 120B of the Indian Penal Code and the fact that though the truck owned by the petitioner was apprehended by the police under suspicious circumstances with unauthorized consignment of Coal but then as the petitioner was not present, she cannot be said to be directly involved in the alleged offence. It may be possible that the driver of the truck engaged by the petitioner may have entered into some sort of conspiracy with the other accused persons and become party in carrying unauthorized consignment.



Be that as it may since the petitioner claims that she has got no criminal antecedent, this Court on consideration of all the relevant aspects would find her entitled for the privilege of anticipatory bail.

That being so, if the petitioner namely, **Asha Singh**, surrenders within a period of four weeks from today, she would 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 **C.J.M., Aurangabad** in connection with **Madanpur P.S. Case No. 26 of 2015**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that she is accused in any other criminal case, she shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be close



relative of the petitioner who will give 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.

(iii) That the bailor 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 bail on the ground of misuse.

(iv) That the petitioner will give an undertaking that she will receive the police papers on the given date and be present on the date fixed for charge and if she fails to do so on two given dates and delays the trial in any manner, her bail will be liable to be cancelled for reasons of misuse.

(v) That the petitioner will be well

represented on each and every date 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.

**(Mihir Kumar Jha, J)**

Ranjan/-  

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