

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38430 of 2014

Arising Out of PS.Case No. -92 Year- 2013 Thana -CHHATAPUR District- SUPAUL

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Smt. Gulsan, Wife of Md. Sahabuddin, Resident of Village - Ghibaha, Tola
- Chakala Daheria, Police Station - Chhatapur, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha
Mr. Ashok Kumar

For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-03-2015

Heard.

The petitioner apprehends her arrest in a criminal prosecution registered under Sections 406 and 420 of the Indian Penal Code.

Taking into consideration the fact that the petitioner is a lady and is alleged to be the beneficiary under the Indira Awas Scheme and amount involved is only Rs.30,000/- (thirty thousand) and further taking into consideration the fact that she is the first offender, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, her prayer for anticipatory bail is allowed.

In the event of her arrest or surrender in the court below within a period of four weeks from today, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in connection with Chhatapur P.S. Case No. 92 of 2013, subject to the condition as

laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing herself in person or through representation by her lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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