

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43065 of 2014

Arising Out of PS.Case No. -131 Year- 2011 Thana -KALYANPUR District- SAMASTIPUR

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Surti Devi, W/O Shiv Kumar Rai, resident of village Govindpur Khajuri;
P.S. Kalyanpur, District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 04-03-2015

This application under Section 438 Cr.P.C. is filed with a prayer to grant anticipatory bail to the petitioner in Kalyanpur P.S. Case No.131 of 2011 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 504 read with Section 34 of the Indian Penal Code. .

A.B.P. No.2442 of 2014 was filed by the petitioner before the Court of Sessions Judge, Samastipur, and the same was dismissed on 12.06.2014. Hence, this application.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The ferdbeyan in the case was recorded on 25.07.2011 in respect of an incident which is said to have taken place on 13.07.2011. The petitioner is said to be one of the assailants. The other two persons were granted bail. Being

woman, the petitioner cannot be subjected to arrest on the basis of such allegations.

Hence, this application is allowed. In the event of arrest, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samatipur in connection with Kalyanpur P.S. Case No.131 of 2011, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(L. Narasimha Reddy, CJ)

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