IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51112 of 2014

Arising Out of PS.Case No. -306 Year- 2013 Thana -CHAUTARWA District- WESTCHAMPARAN(BETTIAH)

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Nilophar Parveen wife of Md. Irfanullah, D/O Arshad Ali, resident of village- Jharmahaui, P.S.- Chautarwa, District- West Champaran

.... Petitioner

Versus

The State of Bihar .... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Vijay Kr Singh No. 1
For the Opposite Party/s : Mr. P.K. Chourasiya (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

2 14-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 302/120B of the Indian Penal Code and Section 27 of the Arms Act and the fact that the allegation of assault by causing fire arm injury is against Arshad Ali, the father of the petitioner, this Court taking into account that there was also earlier matrimonial dispute in her life with her own husband Md. Irfanullah, who was said to be married again to the daughter of the informant and also that the petitioner has got no criminal antecedent, would direct that if the petitioner, Nilophar Parveen, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., Bagaha, District West Champaran in Chautarwa P.S.Case No. 306/2013, subject to the following conditions:

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(i) That both the bailors will be a 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.

(ii) That the bailor shall also state on affidavit that he 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.

(iii) 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.

(iv) 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.

surendra/-

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(Mihir Kumar Jha, J)

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