

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51175 of 2014

Arising Out of PS.Case No. -175 Year- 2014 Thana -FORBESGANJ District- ARRARIA

1. Bibi Manjum Khatoon w/o Md. Abid
2. Md. Kamil son of Md. Siraj
3. Bibi Nasrin D/O Md. Abid All Resident of Haripur, Ward No. 4, P.S.-
Forbesganj, Distt- Araria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 19-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 436, 427/34 of the Indian Penal Code while this Court is inclined to grant privilege of anticipatory bail to petitioners no. 1 and 3, the two ladies having no criminal antecedent, the same privilege cannot be given to petitioner no.2 keeping in view that even another co-accused Md. Abid has also not been granted anticipatory bail and has prayed for regular bail.

That being so, while the prayer for anticipatory bail of petitioner no.2 Md. Kamil is rejected, if rest of the two petitioners, namely, Bibi Manjum Khatoon and Bibi Nasrin, would surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of



Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Forbesganj P.S. Case No. 175/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. 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 petitioners are implicated in any other case of similar nature after their 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 petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on

each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

surendra/-

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(Mihir Kumar Jha, J)