

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 48486 of 2015

Arising out of P.S. Case No. -153 Year- 2015 Thana -GORAUL
District- VAISHALI (HAJIPUR)

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1. Amod Kumar Sah Son of Late Maheshwar Sah.
 2. Pramod Kumar Sah Son of Late Maheshwar Sah.
 3. Pavitri Devi Wife of Late Maheshwar Sah, All are resident of Village- Malikpura, Police Station- Goraul, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar, Adv.

For the Opposite Party/s: Mr. Amit Kumar Rakesh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 16.10.2015 Heard learned counsel for the Petitioners and the State.

The Petitioners are apprehending their arrest in a case registered under Sections 341, 323, 302 and 504/34 of the Indian Penal Code.

Considering that the Petitioner No. 3, Pavitri Devi is a lady without going into the veracity of the allegations, let her be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Sub-divisional Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No.

153 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the Petitioner will give an undertaking that she will receive the police papers on the given date and be present on 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. (iii) That the Petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail will be liable to be cancelled.

As for the rest of the Petitioners, considering the nature of allegations, I am not inclined to extend the privilege of anticipatory bail to them. The prayer for anticipatory bail is rejected.

Vikash/-

(Anjana Prakash, J.)

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