

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54951 of 2015

Arising Out of PS.Case No. -41 Year- 2014 Thana -SC/ST District- KHAGARIA

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1. Babita Kumari @ Babita Devi, w/o Dinesh Keshari, resident of village-
Manik Chak, Ukhaura, P.S.- Ulouli, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shilpi Keshri, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 08-12-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends her arrest in a case
instituted for the offence under Section(s) 341, 323, 504/34
Indian Penal Code and 3(i) (x) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act.

Considering the nature of allegation and its counter
version, it is ordered that in the event of surrender/arrest of the
Petitioner, named above, within four weeks from the date of
receipt/production of a copy of this order in connection with
SC/ST P.S. Case No.41 of 2014, she shall be released on
anticipatory bail on furnishing bail bond of ₹5,000/- (five
thousand) with two sureties of the like amount each or any other
surety to be fixed by the court below to the satisfaction of the
Additional Chief Judicial Magistrate, Khagaria, subject to the

conditions as laid down under sections 438(2) Cr. P. C. and (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 bailors will undertake to furnish information to the court about any change in the address of the Petitioner, (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and, if she is, she shall not be released on bail, (iii) That the bailors shall also state on affidavit that they 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, (iv) 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, and (v) 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.

JA/-

(Anjana Prakash, J)

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