



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9831 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -VIJAYPUR District- GOPALGANJ

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Saraswati Devi @ Suraswati Devi wife of Late Vimal Yadav resident of village - Aamwa Ghat, P.S. - Vijaipur, District - Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ghulam Rabbani

For the Opposite Party : Mr. Lallan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 28-05-2015 Heard both sides.

The petitioner is mother of Vivek Yadav and is apprehending her arrest in connection with Vijaipur P.S. case no. 62 of 2014 registered under Section 363, 366/34 of the IPC.

According to the FIR, the petitioner and other lady members who are related to Vivek Yadav took the sister of the informant to harvest wheat. There few male persons forcibly kidnapped. The victim returned home after few days and made statement under Section 164 of the Cr. P.C. wherein save and except the fact that she was accompanying the lady members in the harvesting no overt act has been alleged against the petitioner.

From Annexure-6, which is an order dated 19.2.2015 passed in Cr. Misc. 6711 of 2015 it appears that the other female accuseds have been privileged with anticipatory bail.

Considering the aforesaid facts, I am persuaded to privilege the petitioner with anticipatory bail. Let the petitioner, named above, in the event of her arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Gopalganj, in connection with Vijaipur P.S. case no. 62 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family members of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court

shall have liberty to cancel the bail
bonds of the petitioner and secure
her arrest in accordance with law.

(Kishore Kumar Mandal, J)

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