

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24984 of 2015

Arising Out of PS.Case No. -12 Year- 2015 Thana -GARHPURA District- BEGUSARAI

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1. Vimla Devi wife of Jileshwar Mukhiya
2. Sharmila Devi wife of Sujeet Mukhiya Both residents of Village -
Garhpura, P.S. Garhpura, District - Begusarai.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. R.P.S Singh (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

3 24-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 147, 148, 149, 323, 302 and 504 of the Indian Penal Code and that the allegation of assault on the deceased is primarily on Jileshwar Mukhiya and Sujit Mukhiya, this Court keeping in view that the petitioners, two ladies, have got no criminal antecedent and the only allegation against petitioner no.2, Sharmila Devi, of throttling the neck of the deceased is also in no way substantiated from the postmortem report, it would find both the petitioners to be entitled for privilege of anticipatory bail.

That being so, if the petitioners, namely, Vimla Devi and Sharmila Devi, 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 Sri Prakash, Judicial Magistrate, 1st Class, Begusarai in Garhpura P.S.Case No. 12/2015, subject to the following

conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) 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 petitioners.

(iii) 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.

(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)