

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36881 of 2014

Arising Out of PS.Case No. -65 Year- 2014 Thana -ARWAL District- JEHANABAD

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Manorma Devi , wife of Madan Viyas, resident of Village- Janakpur Dham,
P.S. + Dist.- Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashmi Kumari Mandilwar, Advocate.

For the Opposite Party/s : Mr. Jitendra Kumar Rai 1 (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 09-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Sections 370(1), 372, 373 of the Indian Penal Code and Section 6 & 8 of the POSCO Act and Sections 3, 4, 5, 7 & 8 of the Immoral Traffic (Prevention) Act, 1956, this Court, having found that the petitioner has no criminal antecedent and further that the two ladies arrested from the house of the petitioner alleged to be indulging in immoral activity at the behest of the petitioner, have themselves not supported the allegation inasmuch as one of them has been examined under Section 164 of the Cr.P.C. and has denied to have been put in any coercion by the petitioner, this Court, by also taking into account that co-accused Nagendra Prasad @ Nagendra Nut having similar allegation has also been given privilege of anticipatory bail by



order dated 11.09.2014 in Cr. Misc. No. 23740 of 2014, would direct that if the petitioner namely, Manorma Devi, surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned A.D.J. 1st, Jehanabad in connection with Arwal P.S.Case No. 65 of 2014, subject to the following conditions:

(i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not 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 her bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course of trial and if she fails to do so on two consecutive dates, her bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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