

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2807 of 2015

Arising Out of PS.Case No. -148 Year- 2014 Thana -NAGARNAUSA District- NALANDA
(BIHARSHARIFF)

=====

1. Gudiya Devi Wife of Doman Paswan
2. Chanchal Devi Wife of Anil Paswan
3. Asha Devi Wife of Mahendra Paswan
All resident of Village Faujdariya Bigha P.S- Nagarnausa, District -
Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 21-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Section-366(A)/34 of the Indian Penal Code and the fact that the victim girl, Mantu Kumari on her recovery, in her statement under Section-164 of the Code of Criminal Procedure, has admitted that she on her own will had gone along with Naradmuni Paswan to Gujarat and had got married to him on 3rd October, 2014 and that she wanted to still live with the family members of her sasural, this Court would find that the petitioners

would be entitled for the privilege of anticipatory bail specially when none of them have any criminal antecedent.

That being so, if the petitioners namely, **Gudiya Devi, Chanchal Devi and Asha Devi**, surrender within a period of four weeks from today, they would be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **Additional Chief Judicial Magistrate, Hilsa (Nalanda)** in connection with **Nagarnausa P.S. Case No. 148 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also 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 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 bailors shall also state on affidavit that they 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 their bail on the ground of misuse.

(iv) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for

reasons of misuse.

(v) 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.

Ranjan/-

U		T	
---	--	---	--

(Mihir Kumar Jha, J)