

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45852 of 2015

Arising Out of PS.Case No. -195 Year- 2013 Thana -ARA NAWADA District- BHOJPUR

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Arati Devi W/o Ashok Kumar Sahay Resident of Village Paiga, P.S.
Barhara, District Bhojpur at Ara. Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. J.S.Arora, Adv.

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

2 30-10-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 420, 468, 471, 472 of the Indian Penal Code and the admitted position that the co-accused Ashwini Kumar Sahay has been already granted anticipatory bail by an order dated 14.10.2015 in Cr.Misc.No. 43741/2015, this Court despite a serious opposition made by the learned counsel for the informant would find the petitioner to be entitled for grant of anticipatory bail primarily on the ground that the main accused Ashwini Kumar Sahay has already been granted anticipatory bail.

That being so, if the petitioner, Arati Devi, would surrender before the court below within a period of four weeks from today, she shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Arrah in Ara Nawada P.S.Case No. 195/2013, subject to the following

conditions:

(i) That both the bailors will be a close relative of the petitioner who will give 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 bailor shall also state on affidavit that he 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.

(iii) That the petitioner will give an undertaking that she will receive the police papers on the given date and be present on the 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.

(iv) That the petitioner will be well represented on each and every date 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.

surendra/-

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(Mihir Kumar Jha, J)