

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25174 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Raushani Khtun D/o Late Kasim Sai Resident of Takiya Bandai, P.S.
Sasaram Maodel, District Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey, Adv
For the Opposite Party/s : Mr. Bhanu Pratap Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 25-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-120B, 366A, 376/34 of the Indian Penal Code and that direct allegation, if any, for the aforesaid offence is against the brother of the petitioner namely, Kosar Sai and the petitioner, a lady, is the sister having no direct allegation of any sort of involvement in offence alleged, this Court taking into account that the petitioner has also no criminal antecedent as well as the criminal case against her and others was filed after eight

days of the occurrence, would be inclined to grant the privilege of anticipatory bail.

That being so, if the petitioner namely, **Raushani Khtun**, surrenders within a period of four weeks from today, she would 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 **Chief Judicial Magistrate, Sasaram, Rohtas** in connection with **Sasaram (M) P.S. Case No. 57 of 2015** arising out of **Complaint Case No. 1285 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 petitioner and if it is found that she is accused in any other criminal case, she shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be 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.

(iii) That the bailor 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 bail on the ground of misuse.

(iv) 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.

(v) 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.

(Mihir Kumar Jha, J)

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