

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24982 of 2015

Arising Out of PS.Case No. -61 Year- 2014 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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Rubi Amna Wife of Md. Aslam resident of Sahbajnagar Hussainpur, P.S.
Mojahidpur, District - Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Anil Kumar(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 325 and 302 of the Indian Penal Code and the fact that the petitioner was not named in the F.I.R. and whatever complicity may have been found by the police in course of investigation will also not amount to any specific overt act against her, this Court keeping in view that the petitioner being a lady has also no criminal antecedent and her son, namely, Md. Sahjahan, made accused, has already been taken into custody, would direct that if the petitioner, Rubi Amna, surrenders 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 Railway Judicial Magistrate, 1st Class, Bhagalpur in Bhagalpur

Rail P.S.Case No. 61 of 2014, 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 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.

(iii) 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.

(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)

