

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39831 of 2014

Arising Out of PS.Case No. -29 Year- 2014 Thana -BELSAND District- SITAMARHI

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Fulo Devi Wife of Doni Mukhiya Resident of Village - Damami, Ward No. 8, P.S.- Belsand, District- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-04-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-147, 323, 307, 379, 504/427 of the Indian Penal Code and the fact that the petitioner has got no criminal antecedent and one injury given by her on the head of the wife of the informant was found to be simple by the Doctor, this Court would be inclined to grant the privilege of anticipatory bail to the petitioner specially when she is a lady and has got no criminal antecedent and seems to have been involved in a family dispute.

That being so, if the petitioner namely, **Fulo**



Devi, surrenders within a period of four weeks from today, he 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 **C.J.M. Sitamarhi** in connection with **Belsand P.S. Case No. 29 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) 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.

(ii) 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 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.

Let it be, however, made clear that this order will be of no benefit to the husband of the petitioner namely, Doni Mukhiya.

(Mihir Kumar Jha, J)

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