

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13552 of 2016

Arising Out of PS.Case No. -457 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

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1. Bibi Imrana Tarannum @ Imrana Tarannum, W/o Md. Afroz Alam
2. Md. Afroz Alam, S/o late Farid Ahmad
Both Resident of Village- Gairki Bageshwari, P.S.- Jokihat, District Araria.
..... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Arshad Jamil, S/o Md. Safiruddin, Resident of Village- Gairki, P.S.-
Jokihat , District Araria.
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.
For the Opposite Party no.1 : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 12-04-2016

Heard.

The petitioners apprehend their arrest in a criminal prosecution based on a complaint petition for offences under Sections 467, 468, 471/34 of the Indian Penal Code.

Taking into consideration the fact that the petitioner no.1 is alleged to have obtained her employment as Anganwari Sevika in the year 1990 on the basis of wrong certificate about her date of birth with the help and connivance of her husband i.e. the petitioner no.2 and also taking into consideration the fact that the dispute is with respect to the appointment on the post of Anganwari Sevika and further taking into consideration the fact that they are said to be the first offenders, this Court is inclined to accede to the prayer made on their behalf for grant of anticipatory bail. Accordingly, their prayer for grant of anticipatory bail is allowed.

In the event of their arrest or surrender in the court below within a period of four weeks from today, let the above

named petitioners be enlarged on bail on furnishing bail bond of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria in connection with Complaint Case No.457C of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family members of the petitioners, who will file an affidavit in the court below showing his/her relationship with the petitioners,

(B) if the petitioners are found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every date, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioners.

Arvind/-

(Birendra Prasad Verma, J)

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