

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7250 of 2016

Arising Out of PS. Case No. -191 Year- 2015 Thana -PALASI District- ARRARIA

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1. Md. Mosim S/o Md. Samid
2. Saratun W/o Md. Samid Both residents of village - Kankhudia, P.S. -
Palasi, District - Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioners and learned APP
for the State.

2. After some arguments, learned counsel for the
petitioners seeks permission to withdraw the anticipatory bail
petition on behalf of petitioner No. 1, Md. Mosim.

3. Permission is accorded. The bail petition is dismissed
as withdrawn so far as petitioner no. 1, Md. Masim is concerned.

4. Petitioner no. 2 apprehends her arrest for the offences
alleged under Sections 466, 468, 471, 420 and 120B of the Indian
Penal Code registered in connection with Palasi P.S. Case No. 191
of 2015.

5. It is submitted that petitioner no. 2 has been falsely
implicated as she denied that she had filed any death claim before
the Insurance Company rather it appears that on account of some

fraud played by the Insurance Agent, such claim has been made. Petitioner no. 2 has acted bona fide and produced her identity card during investigation by the Insurance Company.

6. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner no.2's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner no. 2 be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Palasi P.S. Case No. 191 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) Petitioner No. 2 shall cooperate with the investigation and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) Petitioner No. 2 will be well represented on each and every date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled by the Court concerned.

(Vikash Jain, J)

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