

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11630 of 2016

Arising Out of PS.Case No. -480 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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Urmila Devi W/o- Praween Kumar Ram, resident of Village- Bauraha, P.S.-
Kishanpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Manibhushan Bharti, S/o- Bindeshwar Ram, resident of Village-
Bauraha, P.S.- Kishanpur, District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. M.K.Khare, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-03-2016

Heard the parties.

The petitioner apprehends her arrest in a criminal prosecution based on a complaint petition for offences under Sections 420 and 468 of the Indian Penal Code.

Taking into consideration the fact that the petitioner is alleged to have obtained employment as Anganbari Sewika by showing her wrong date of birth, this Court is inclined to accede to the prayer made on her behalf for grant of anticipatory bail.

However, the grant of anticipatory bail to the petitioner shall not come in the way of the authorities for taking any other disciplinary action against the petitioner or for removing her from the post of Anganbari Sewika in accordance with law.

In the event of arrest or surrender in the court below within a period of four weeks from today, let the above named petitioner, be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Supaul in connection with Complaint Case

No. 480C of 2015. subject to conditions laid down under Section 438 (2) of the Cr.P.C. and subject to the further conditions that :

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

(B) if the petitioner is 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 petitioner, 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, and

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

(Birendra Prasad Verma, J)

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