

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25819 of 2016

Arising Out of PS.Case No. -451 Year- 2015 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Asha Devi @ Rekha Devi Wife of late Upendra Prasad Resident of
Village- Malawan, Police Station - Hilsa, District Nalanda.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 22-06-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

As prayed for, learned counsel for the petitioner is permitted
to make necessary correction in the prayer portion of this
application.

The petitioner wants to renew her prayer of bail, which was
earlier rejected vide order dated 04.12.2015 passed in Cr. Misc.
No. 48719 of 2015, on the ground that the petitioner is a lady and
she is suffering in custody since 14.08.2015, the trial has not been
concluded within time given in the earlier order and liberty was
given to the petitioner to renew her prayer for bail, other co-
accused have been allowed pre-arrest bail, there is no chance of
tampering with prosecution evidence and the petitioner will co-
operate during trial.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail.

In the facts and circumstances stated above, considering that in near future the trial is not likely to be concluded as from perusal of the impugned order it reveals that till then only four prosecution witnesses have been examined and as such considering the period of detention and her gender, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge, Hilsa, Nalanda in S. Tr. No. 195 of 2016 arising out of Hilsa P.S. Case No. 451 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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