

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36679 of 2016

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1. Pooja Kumari @ Puja Kumari Daughter of Sri Mithilesh Kumar Resident
of Village- Kesopur, P.S.- Sakara, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 30-08-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner was granted privilege of bail by a co-
ordinate Bench of this Court vide order dated 16.03.2016 passed
in Cr. Misc. No. 15794 of 2015 with certain conditions.

The concerned Bench imposed one condition, that is
condition no.(ii), as mentioned in order dated 16.03.2016 passed in
Cr. Misc. No. 15794 of 2015, that the petitioner shall file an
affidavit stating therein that she is not an accused in any other case
and if she is, in that event, she shall not be released on bail.

Submission on behalf of the petitioner is that due to
above stated condition petitioner is feeling difficulty to file
affidavit because apart from Minapur P.S.Case No.190 of 2013

petitioner has been made accused in three other cases, i.e., Bochahan P.S.Case no. 165 of 2013, Motipur P.S.Case No. 178 of 2013 and Tariyani P.S.Case No. 79 of 2013 and the details of the aforesaid cases had already been given in para-3 of the petition of Cr. Misc. No. 15794 of 2015. It is submitted that the concerned Bench granted bail to the petitioner taking note of the aforesaid fact of three cases as well as present case and, therefore, some clarification is required because if petitioner swears affidavit disclosing the aforesaid facts, she may not be released on bail by the learned court below.

Considering the aforesaid facts and circumstances as well as submission of the parties, this modification petition stands disposed of making it clear that if petitioner is found accused in any other criminal case except the above stated cases as well as Minapur P.S. Case No.190 of 2013 relating to Cr. Misc. No. 15794 of 2015, her bail bonds shall not be accepted by the concerned court.

(Hemant Kumar Srivastava, J)

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