

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43231 of 2016

Arising Out of PS.Case No. -278 Year- 2016 Thana -FORBESGANJ District- ARRARIA

- =====
1. Shayesta Khatoon D/o Mobin
 2. Sagutta @ Sagupta Khatoon D/o Mobin both residents of village - Bokra,
P.S. Simraha, District - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 06-10-2016 Heard the parties.

These two petitioners, who are young ladies, apprehend their arrest in a criminal prosecution registered under Sections 302/34 and some other minor or bailable offences under the Indian Penal Code.

Though, the petitioners are named in the F.I.R, vide Annexure-1, as accused, but taking into consideration the fact that according to the prosecution case itself specific allegation of assault and for causing death of the deceased is against co-accused Mobin, the father of these two petitioners, and also taking into consideration the fact that these two petitioners are not alleged to have played specific role for committing the crime of murder of the deceased, 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.

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-bonds of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) P.S.Case No. 278 of 2016 (G.R. No. 1685 of 2016), subject to the conditions laid down under Section 438(2) 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 petitioners, who will file an affidavit in the Court below showing his relationship with the petitioners,
- (B). if the petitioner 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 the 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 an opportunity of hearing to all concerned and
- (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 dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioners.

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(Birendra Prasad Verma, J)

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