

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11651 of 2016

Arising Out of PS.Case No. -102 Year- 2015 Thana -GARKHA District- SARAN

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Manju Devi, wife of Brij Bihari Singh, resident of Village- Jamalaki, P.S.-
Parsa, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-03-2016

Heard.

The petitioner apprehends her arrest in a criminal prosecution registered under Sections 304B, 326A/34 of the Indian Penal Code.

Though the petitioner is also named in the FIR vide Annexure-1 as an accused, but taking into consideration the fact that the main culprit co-accused Sudama Singh, the husband of the deceased, is in judicial custody and further taking into consideration the fact that the co-accused Kamala Devi, the mother-in-law of the deceased, has already been granted bail by a Bench of this Court by an order dated 27.10.2015 passed in Cr.Misc.No.30199 of 2015 and also taking into consideration the fact that the petitioner is said to be married sister-in-law living in her Sasural and also taking into consideration the fact that she is said to be the first offender, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, her prayer for grant of anticipatory bail is allowed.

In the event of her arrest or surrender in the court

below within a period of four weeks from today, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Garkha P.S. Case No. 102 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family members 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;

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing herself in person or through representation by her lawyer on each and every date, 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.

Arvind/-

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(Birendra Prasad Verma, J)