

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48047 of 2015

Arising Out of PS.Case No. -77 Year- 2015 Thana -GOPALPUR District- PATNA

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Phulan Devi Wife of Sri Nageshwar Singh, Resident of Village - Kampura,
Thana - Gopalpur, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Basant Kumar Tripathy

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 05-02-2016

Heard.

The petitioner apprehends her arrest in a criminal prosecution registered under Sections 307, 325, 379 and some other allied minor and bailable offences under the Indian Penal Code.

Taking into consideration the fact that the petitioner is a lady of advanced age and entire occurrence is said to have taken place on account of a land dispute and further taking into consideration the fact that she has not used any lethal weapon for causing injury to the injured persons though she is alleged to have assaulted one Pancham alias Chotu with lathi, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, the prayer for 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-bonds of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned C.J. M., Patna City, in connection with

Gopalpur P.S. Case No. 77 of 2015 (G.R. No. 4003 of 2015) dated 19.06.2015, 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 petitioner, who will file an affidavit in the Court below showing his 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 the 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 an 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 herself in person or through representation by her 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 bonds of the petitioner.

(Birendra Prasad Verma, J)

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