

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47816 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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Mina Devi, wife of Narendra Yadav, resident of village- Bhelwa, P.S.-
Gamharia, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 28-11-2016

Heard the Counsel for the petitioner and the APP for
the State.

The petitioner prays for grant of anticipatory bail in
Gamharia P.S. Case No. 84 of 2016 registered under Sections 147,
148, 149, 341, 323, 353, 307, 337, 338 and 427 of the Indian Penal
Code and Section 27 of the Arms Act.

Petitioner, according to the F.I.R., was contesting
the Mukhiya election and was demanding recounting. It is alleged
that several hundreds supporters thereafter entered into the
premises and started pelting stones which caused injury to the
Police personnel.

Submission is that the allegation is general and
omnibus. For this occurrence, another F.I.R. was lodged by the
Circle Officer in which considering the nature of allegation, the
accused persons, cited therein, were granted anticipatory bail vide
order dated 03.10.2016 passed in Cr. Misc. No.41993 of 2016 and

order dated 19.10.2016 passed in Cr. Misc. No. 42642 of 2016. It is stated that the petitioner has no criminal background and if granted the privilege of anticipatory bail would, in future, restrain herself from indulging in such occurrence.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in Gamharia P.S. Case No. 84 of 2016 (G.R. No. 871 of 2016) subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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