

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21143 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -BARIYARPUR District- MUNGER

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Shobha Devi, W/o Late Laxmi Mandal, R/o Village- Pariya, P.S.+ P.O.-
Bariyarpur, District- Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary, Adv.

For the Opposite Party/s : Mr. Gajendra Pd.Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 19-05-2016

Heard.

The petitioner apprehends her arrest in a criminal prosecution registered under Sections 302, 201/34 of the Indian Penal Code as also under Section 27 of the Arms Act.

Taking into consideration the fact that the petitioner is not named in the FIR vide Annexure-1 as an accused and also taking into consideration the fact that during the course of investigation hands of the petitioner was merely suspected for commission of crime in question, and she is alleged to be one of the conspirators, and further taking into consideration the fact that she is said to be the first offender, as has been asserted in paragraph 3 of the anticipatory bail application, this Court is inclined to accede to the prayer made on her behalf 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., Munger in connection with Bariyarpur P.S. Case No. 79 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.

(Birendra Prasad Verma, J)

Arvind/-

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