

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29949 of 2017

Arising Out of PS.Case No. -160 Year- 2016 Thana -SIDHWARA District- DARBHANGA

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1. HAMIDA KHATOON, W/o Md. Anwar, resident of village- Gouri
Nath Brahampura, P.S.- Singhwara, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 13-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends her arrest in Singhwara
P.S. Case No.160 of 2016 instituted for the offence under
Section(s) 341, 323, 376, 313, 504/34 Indian Penal Code.

As per written report, son of the petitioner
established physical relationship with the informant on the
pretext of marriage and thereafter refused to marry her. She went
to this petitioner, who is mother of Md. Shahid, and then she
assaulted the informant with leg on her abdomen on account of
which she aborted, but no medical document has been annexed in
support of such allegation.

Petitioner is mother of Md. Shahid. Besides general
and omnibus allegation, there is no allegation of any specific



overt act against the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with in Singhwara P.S. Case No.160 of 2016, she shall 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 the Chief Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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