

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45288 of 2017

Arising Out of PS.Case No. -326 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Palak Kumari @ Laxmi daughter of Mankeshwar Prasad Soni resident of
village Ramnagar Relly Bazar, Police Station - Ramnagar, District - West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Sri Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-09-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 363A and
364/34 of the Indian Penal Code.

Counsel for the petitioner submits that she has falsely
been implicated in the instant case on the basis of suspicion
because of some pending land dispute. He further submits that the
boy has been recovered from the possession of one Subhash Singh
and she is no way concerned with the occurrence. He also submits
that another co-accused Julum Sah has already been granted bail
in Cr. Misc. no. 29440 of 2017 vide order dated 06.07.2017. Prior
to the instant case the petitioner has no criminal antecedent.



Considering aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in Bettiah Town P.S. Case No. 326 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if she is, she shall not be released on bail.
- (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after her release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iv) That the Petitioner will give an undertaking that she will



receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, her bail will be liable to be cancelled for reasons of misuse.

- (v) That the Petitioner will be well represented on each date and if she fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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