

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1751 of 2017

Arising Out of PS.Case No. -128 Year- 2014 Thana -AMARPUR District- BANKA

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Gita Devi, w/o late Sukkar Pandit, resident of village - Koiendha, P.S. -
Amarpur, Distt - Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Swapnil Kumar Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 07-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has renewed her prayer for anticipatory bail in connection with Amarpur P.S. Case No. 128 of 2014 for the offences alleged under Sections 302/120B of the Indian Penal Code and 27 of the Arms Act having earlier been rejected by this Court by order dated 13.07.2016 in Cr. Misc. No. 29093 of 2014 on the ground that there was no apprehension of her arrest at that stage.

3. It is submitted that the petitioner has been falsely implicated which is evident from the very fact that after due investigation the police has submitted final form and she was not sent up for trial. The petitioner is an old lady of 75 years of age and claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 128 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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