

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20197 of 2017

Arising Out of PS.Case No. -1198 Year- 2010 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Kanchan Devi, W/o Dhananjay Prasad, resident of Mohalla
Gandhinagar, Farm Per, P.S. Town, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjay Prasad, S/o Nileshwar Prasad @ Nilknath Saw, resident of
Mohalla- Gandhinagar, Farm Per, P.S. Town, District- Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -1, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6/ 30-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends her arrest in Complaint Case
No.1198 of 2010 instituted for the offence under Section(s) 323,
380, 504 Indian Penal Code.

It has been submitted that husband of the petitioner
and the Complainant are own brothers. There is family dispute
between the parties.

As per the Complaint Petition, while the
Complainant was in shop, the petitioner along with her husband
came in the house and took away jewellery as mentioned in the
Complaint Petition. When minor son of the Complainant raised
objection then they assaulted him.



There is no recovery of any incriminating article from the possession of this petitioner. Petitioner is a lady.

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 Complaint Case No.1198 of 2010, she shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, 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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