

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40116 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -TEDHAGACHH District- KISANGANJ

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1. Sajjo Devi, D/o Brahmdeo Mahto, resident of village- Baisa Toli, P.S.-
Terhagachh, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 14-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends her arrest in **Terhagachh P.S.**

Case No.38 of 2016 instituted for the offence under Section(s)
366/34 Indian Penal Code.

Counsel for the petitioner has submitted that she is a lady having clean antecedents. Case has been lodged on 26.05.2016, whereas, occurrence is said to have taken place on 17.05.2016. Victim girl has given statement under Section 164 Cr.P.C., wherein, she has levelled general and omnibus allegation against the petitioner.

Statement of the victim girl recorded under Section 164 Cr. P.C. is available in the case dairy, wherein, the victim girl has merely stated that this petitioner and others came and



gave her Chocolate and thereafter she felt giddiness. Thereafter, one Shanti Devi took her to the house of her Nanad. The victim was left in Silliguri.

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 **Terhagachh P.S. Case No.38 of 2016**, 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, Kishanganj**, 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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