

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38647 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Khusbu Devi @ Khusbu Kumari, wife of late Niraj Saha, resident of
Sikargardh Tola (Kahalgaon), P.S. Kahalgaon, Distt. Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate
Mr. Mayank Singh, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Kahalgaon P.S.

Case No. 30 of 2016 instituted for the offence under Sections 302,
201 and 34 of the Indian Penal Code.

It is alleged in the written report that this petitioner
who is wife of the deceased murdered her husband with the help
of Dablu and Guddu Sah. It is alleged that this petitioner has love
affair with Dablu. There is allegation against Pramod Sah @
Dablu Sah that he assaulted the deceased with lathi on his head
and pushed down from the roof on the instruction of this
petitioner.

It has been submitted on behalf of the petitioner that
Dablu @ Pramod Sah @ Pramod Saha has already been granted
anticipatory bail by a coordinate Bench of this Court vide order



dated 20.10.2016 passed in Cr. Misc. 39303 of 2016.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Kahalgaon P.S. Case No. 30 of 2016, he 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 learned Chief Judicial Magistrate, Bhagalpur, 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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