

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40400 of 2017

Arising Out of PS.Case No. -838 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Saba Parveen wife of Md. Birmilla @ Md. Bismillah
2. Khusbu Khatoon wife of Md. Pallu, Both Resident of Pakkisarai Chowk,
P.S. Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Muzaffarpur Town P.S.
Case No. 838 of 2016 instituted for the offence under Sections-25(i-
B)a/26/35 of the Arms Act.

It has been submitted that as per seizure list, the alleged fire
arms have been recovered from house of Md. Bismillah and Md. Pallu.
These petitioners are wife of Md. Bismillah and Md. Pallu. There is no
recovery of any fire-arms from their possession. Petitioners are ladies
and they have clean antecedent.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioners named above in the event
of their arrest or surrender in the court below within six weeks from the
date of receipt/production of copy of this order, shall be released on



bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Muzaffarpur Town P.S. Case No. 838 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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