

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53194 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -WAINA District- NALANDA
(BIHARSHARIFF)

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Babita Devi, Wife of Shailesh Yadav, Resident of Village-Jattipar, P.S.
Rajgir, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 08-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in **Ben P.S. Case No. 71 of 2017** instituted for the offence under Sections 364/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that petitioner is a lady. She has been named merely on suspicion.

Case diary has been received.

Learned A.P.P. has submitted that the boy is still traceless. There is no allegation of any overt act against this petitioner in the case diary.

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 **Ben P.S. Case No. 71 of 2017**, 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, Nalanda at Bihar Sharif**, 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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