

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45428 of 2017

Arising Out of PS.Case No. -66 Year- 2017
Thana -BIRPUR District- SUPAUL

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Kalpana Devi W/o Rameshwar Jha resident of Village- Hirday Nagar, Ward No. 3, P.S.- Birpur, District- Supaul		Petitioner
Versus		
The State of Bihar		Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Narayan Mahto, Advocate
For the Opposite Party : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for offence
under sections 304B and 120B IPC.

Counsel for the petitioner submits that the petitioner is a
72 years old lady and the allegation levelled against her is vague
and omnibus and the main allegation is against her son, husband
of the deceased, who is already in custody. Petitioner is in
custody since 21.3.2017.

In the facts of the case, prayer for bail of the petitioner is
allowed. Let the petitioner, as mentioned above, be released on
bail on his furnishing bonds of Rs 10,000/- (Rupees Ten
Thousand) with two sureties of the like amount each to the
satisfaction of Additional Chief Judicial Magistrate, Birpur,
Supaul in Birpur Police Station Case No. 66 of 2017 on the
following conditions:-

(a) One of the bailors will be a close relative of the
petitioner who will give an affidavit giving genealogy as to how
he is related with her. The bailor will also undertake to inform



the court if there is any change in the address of the petitioner.

(b) The affidavit shall clearly state that the petitioner is not an accused in any other case, and if she is, she shall not be released on bail.

(c) The bailor shall also state on affidavit that she will inform the court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(d) The petitioner will give an undertaking that she will receive the police papers on the given date and be present on date fixed for charge and if she fails to do so on two given dates and delays the trial in any manner, her bail will be liable to be cancelled for reasons of misuse.

(e) The petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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