

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16060 of 2017

Arising Out of PS.Case No. -863 Year- 2015 Thana -COMPLAINT CASE District- LAKHISARAI

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1. Sunita Devi , W/o Ramotar Mahton, Resident of Village- Dighri, P.S.- Manikpur, District- Lakhisarai,
2. Kabita Devi, Son of Bhola Mahton,
3. Nutan Devi,@ Mamta Devi, W/o Sri Rajeev Mahton, Both are Resident of Village- Abgil-Rampur (Husaina) , Police Station- Medinichowki, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Devi @ Sabo Devi, Wife of Niraj Mahton, Resident of Village- Abgil, Rampur (Hussaina), P.S.- Medinichowki, District- Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 08-05-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Complaint Case No. 863 C of 2015 (arising out of Mednichoki P.S. Case No. 09 of 13) instituted for the offence under Sections-323, 376, 379/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that police after investigation, submitted final form in the case. Thereafter, the protest petition has been filed and cognizance has been taken against these petitioners treating the Protest petition as complaint and after inquiry, the court below found prima facie case against these petitioners along with other accused. As per allegation in the complaint, these petitioners assisted the other



accused in committing rape. The petitioners are ladies.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 Complaint Case No. 863 C of 2015 (arising out of Mednichoki P.S. Case No. 09 of 13) to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai 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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