

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12242 of 2017

Arising Out of PS.Case No. -4229 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Kumari Kavita Wife of Dr. Dhruvdeo Mali Resident of Village - Sawanhai
Patti, Tola Dhumnagar, P.S. Phulwariya, Dist. - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mukul Kumar Tiwary Son of Late Bharat Tiwary Resident of Village -
Kotwa, P.S. - Gopalganj, District - Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Complaint
Case No. 4229 of 2016 instituted for the offence under sections
144, 147, 148, 323, 504, 384, 386, 427 and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

There is allegation in the complaint petition that
Dhruo Deo Mali and Kanhaiya Sah @ Baliram Sah put pistol on
the chest of the informant and made demand of Rangdari and also
told that only on payment of ransom amount, he will be allowed
to construct the house, otherwise the land will be given to others
for construction.

It has further been submitted that the petitioner is



wife of Dhruv Deo Mali.

From the complaint petition, it appears that there is no any allegation of specific overt act against this petitioner.

It has further been submitted that Dhruv Deo Mali has already been granted anticipatory bail by a coordinate Bench of this court vide order dt. 23.2.2017 passed in Cr. Misc. No. 7555 of 2017.

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 Complaint Case No.4229 of 2016, she 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 Chief Judicial Magistrate, Gopalganj, 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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