

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25393 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Priya Mishra W/o Rituraj Mishra, Resident of Village- Patuaha, Ward
No.36, P.S.- Sadar, District- Saharsh. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 10-07-2017 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor appearing on behalf of

the State of Bihar.

This application, for grant of anticipatory bail,
arises out of Saharsa Sadar Police Station Case No. 79 of
2017, disclosing offences under Sections 147, 148, 149,
448, 323, 341, 379, 384, 386, 504 and 506 of the Indian
Penal Code.

It is submitted that the police, upon completion
of investigation, has submitted charge sheet under some
sections of the Indian Penal Code, which are bailable in
nature. However, differing with the police report, learned
Chief Judicial Magistrate, Saharsa, has taken cognizance of
the offences, which are non-bailable because of which the
petitioner apprehends his arrest.



The petitioner is a lady. From the case of the prosecution, it appears that there is some land dispute between the parties, leading to occurrence, if any.

Considering the facts and circumstances, this application is allowed.

Let the petitioner, Priya Mishra, in the event of his arrest or surrender before the Court below within six weeks, be released on 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, Saharsa, in connection with Saharsa Sadar Police Station Case No. 79 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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