

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36602 of 2017

Arising Out of PS.Case No. -150 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

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1. MOSMAT KAILASH DEVI @ KAILASHI DEVI W/o Late Radhe Mishra, R/o Village- Kamarganj, P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-08-2017 Heard the parties.

The petitioner is apprehending her arrest in connection with Sultanganj P.S.Case No.150 of 2015, registered for offences punishable under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner is that she is order-giver and it appears from perusal of the impugned order, it appears that she is aged about 88 years.

Sub-giver and nothing specific has been attributed against her. It is further submitted that she is an old lady and further the charge-sheet has not been submitted against her and sent up for trial by the police but later on cognizance has been taken against her.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.



Having heard both sides and in view of considering the old age of the petitioner, let the petitioner surrender before the learned court below within a period of four weeks and on her surrender, the learned court below will release her on bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Bhagalpur in connection with Sultanganj P.S.Case No.150 of 2015, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make herself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of her bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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