

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60048 of 2017

Arising Out of PS.Case No. -454 Year- 2017 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Hari Mahto @ Harinath Mahto, Son of Suresar Mahto,
2. Shiv Kumari Devi W/o Hari Mahto, Both are R/ o Village- Amarpura,
P.S.- Mohammadpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Devi w/o Govind Mahto, D/o Surendra Mahto, R/o Village-
Amarpura, P.S.- Mohammadpur, District- Gopalganj, Presently residing at
Village Pipra Singrahi, P.S.- Panapur, District- Saran at Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

11 21-12-2017

Heard learned counsel for the petitioners and the State.

At the very outset, learned counsel for the petitioners has
submitted that during pendency of this application, petitioner No. 1 has
already been arrested.

Accordingly, this petition filed on behalf of petitioner No.
1 is dismissed as withdrawn.

So far as petitioner No. 2 is concerned, she being mother in
law of the complainant apprehends arrest in a case registered under
Section-498A of the Indian Penal Code.

There is no allegation of any specific overt act against
petitioner No. 2.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that petitioner No. 2 named above in the event of her arrest or surrender in the court below within six 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 in Complaint Case CIS No. 454C of 2017 to the satisfaction of learned Chief Judicial Magistrate, Gopalganj 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) petitioner No. 2 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 No. 2 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 No. 2.

(Sanjay Priya, J)

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