

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58233 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -BALIA District- BEGUSARAI

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1. Madhu Devi, Wife of Bhuwan Khalifa, R/o Choti Ballia, Mathurapur,
P.S.- Balia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Balia P.S. Case No. 119
of 2017 instituted for the offence under Sections-302, 120B/34 of the
Indian Penal Code.

It has been submitted that mere suspicion has been raised
against this petitioner in the FIR.

As per written report, the informant received information
that his son Md. Sharif is lying in unconscious condition at
Lakhmaniyan Bazar. The informant on such information reached Sadar
Hospital, Begusarai and learnt that his son died. In the last portion of
the fardbyan, mere suspicion has been raised against this petitioner.

The co-accused Bhuttu Khalifa with similar allegation has
been granted anticipatory bail by a coordinate bench of this court vide
order dated 03-11-2017 Passed in Cr. Misc. No. 51800 of 2017.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner 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 Balia P.S. Case No. 119 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Begusarai 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 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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