

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10688 of 2018

Arising Out of PS.Case No. -373 Year- 2017 Thana -BRAHMPUR District- BUXAR

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1. Kusum Devi W/o Sri Vinav Kumar Ojha, R/o Village + P.O.- Nimej,
P.S.- Brahmpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikesh Kumar

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2018 The petitioner is apprehending her arrest in connection with Brahmpur P.S. Case No. 373 of 2017, registered for offences punishable under Sections 448, 342, 353, 332, 323, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioner and others is of abusing the informant and also threatening him on the point of pistol.

It has been submitted on behalf of the petitioner that petitioner is an Asha facilitator and as she was elected as Dy. Sarpanch, she was asked to vacate the said post, for which she had gone to protest and due to which she has falsely been made accused in this case and no occurrence as alleged has taken place. Further the Election Commission has also cleared that the petitioner can hold both the posts.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also the fact that petitioner is a lady, let the petitioner above named, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Buxar, in connection with Brahmipur P.S. Case No. 373 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, this is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make herself available as and when required by the police and on the event of failure on her part to appear before the police on two consecutive dates without showing any genuine reasons, the



prosecution is free to move for cancellation
of her bail bonds.

(Vinod Kumar Sinha, J)

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