

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2925 of 2018

Arising Out of PS.Case No. -132 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Sunita Devi W/o Late Subhash Chandra Sada, R/o Village- Itehara
(Gamharia), P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Saur Bazar (Bajinathpur
O.P.) P.S. Case No. 132 of 2017 instituted for the offence under
Section-302 & other minor Sections of the Indian Penal Code.

It has been submitted that there is no allegation of specific
overt act against this petitioner.

It is alleged in the written report that this petitioner along
with Madina Khatoon caught hold the brother of the informant and
other accused persons as named in the written report, assaulted him on
account of which, he became seriously injured and later on, was
declared dead in the hospital.

This petitioner is a lady and there is no allegation of
specific overt act against her. It has been mentioned in paragraph-3 of
the petition that the petitioner has clean antecedent.



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 Saur Bazar (Bajnathpur O.P.) P.S. Case No. 132 of 2017 to the satisfaction of Sri S.K. Modi, learned Chief Judicial Magistrate, Saharsa 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 liable to 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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