

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36477 of 2018

Arising Out of PS. Case No.-70 Year-2014 Thana- JOGBANI District- Araria

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Poonam Devi, Daughter of Mohan Jha, Wife of Premkant Jha, Resident of
Village- Bathnaha, Brahmin Tola, P.S.- Jogabani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends her arrest in Jogabani(Bathnaha)
P.S. Case No.70 of 2014 instituted for the offence under Section
364/34 of the Indian Penal Code. Later on Sections 302 and
201/34 of the IPC are added.

Learned counsel for the petitioner submits that petitioner
is a lady. She has been implicated in this case because she is
daughter of the co-accused namely Mohan Jha. There is
admitted land dispute between the brother-in-law of the
informant and father of the petitioner. In the written report mere
suspicion has been raised against this petitioner. It is further
submitted that police after investigation found the petitioner
innocent vide charge-sheet no. 35 of 14 dated 30.09.2014.
Learned Magistrate has taken cognizance against the petitioner



after differing with the police report.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Jogabani(Bathnaha) P.S. Case No.70 of 2014 (S.G.R. No. 1850 of 2014), she shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 3rd Additional District and Sessions Judge, Araria, subject to the conditions as laid down under Section 438(2) 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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