

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19196 of 2018

Arising Out of PS. Case No.-366 Year-2017 Thana- HARSIDHI District- East Champaran

1. Champa Devi, Wife of Bhikham Sahani,
2. Rinku Devi, Wife of Munni Sahani, Both residents of Village- Singhaha Malahitola, Police Station- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 08-05-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Harsidhi P.S. case no. 366 of 2017 instituted for the offence under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no.1, namely Champa Devi has already been arrested. He, therefore, seeks permission to withdraw her application.

Accordingly, the application with respect to petitioner no.1 is dismissed as having become infructuous.



Learned counsel for the petitioner submits that there is specific allegation against co accused Muni Sahani of assaulting with Farsa on the head of the informant on account of which he sustained oozing injury. The petitioner is said to be the wife of Muni Sahani. Learned counsel for the petitioner submits that other co accused person with similar allegation has already been granted anticipatory bail by this Court vide order dated 12.4.2018 passed in Cr. Misc. No. 20202 of 2018.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner No. 2, named above, within six weeks from today in connection with Harsidhi P.S. case no. 366 of 2017, 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 learned CJM East Champaran 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



petitioners 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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