

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41123 of 2018

Arising Out of PS. Case No.-260 Year-2017 Thana- BAKHTIYARPUR District- Patna

1. Kanchan Devi, W/o Om Malik,
2.Manti Devi, W/o Om Malik, R/o village- Naya Tola, Raghapur, P.S.-
Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 23-08-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bakhtiyarpur P.S.

Case No. 260 of 2017 instituted for the offence under Sections
366(A) of the IPC.

Learned counsel for the petitioners submits that he
wants to withdraw this petition on behalf of the petitioner no. 2
as she has already been arrested.

Accordingly, this petition is dismissed as withdrawn
on behalf of petitioner no. 2.

Learned counsel for the petitioners submits that the
victim has given her statement under Section 164 Cr.P.C.,
wherein, she has stated that she was taken forcibly by one
Chanda Devi. She has further stated that she was forcibly married
with Ravi Kumar and he established relationship with her. The
allegation against petitioner no. 1 is that she also committed



mar-pit with the victim.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner no. 1, 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bakhtiyarpur P.S. Case No. 260 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna, 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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