

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33063 of 2018

Arising Out of PS.Case No. -364 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

1. Radha Devi, wife of Late Kapildeo Yadav, Resident of Village-
Hathiandha, P.S.- Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s Mr. Ramchandra Sahani, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 24-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends her arrest in **Bihariganj P.S.**

Case No.364 of 2017 instituted for the offence under Section(s)

302/34 Indian Penal Code and Section 27 of Arms Act.

Counsel for the petitioner submits that petitioner is a lady. There is no allegation of any specific overt act against the petitioner.

In the written report, specific allegation of causing firearm injury to the father of the informant is against co-accused Subhash Yadav and Santosh Yadav.

It has been submitted that co-accused with similar allegation has been granted anticipatory bail by co-ordinate Bench of this Court by order dated 03.07.2018 passed in Cr.



Misc. No.38611 of 2018

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 **Bihariganj P.S. Case No.364 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 **Judicial Magistrate 1st Class, Udakishunganj, Madhepura**, 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 her absence on two consecutive dates without proper and reasonable reason will be liable to cancel her bail bond 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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