

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48677 of 2018

Arising Out of PS. Case No.-615 Year-2014 Thana- NAWADA District- Nawada

Sulochana Devi, Wife of Manoj Kumar, Resident of Village- Sagama, Police Station- Kashichak, District- Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Tapeswar Singh, Son of Late Ramadhin Singh, Resident of Village- Ohari, Police Station- Nawadah Nagar, District- Nawadah.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

- 2 05-09-2018 The petitioner had earlier approached this Court for grant of anticipatory bail in connection with the same Nawada Town P.S. Case No. 615 of 2014, which was allowed in view of the undertaking that the petitioner and other co-accused persons shall pay the amount in question to the opposite party no.2 in five monthly installments of Rs. 40,000/- each. The other co-accused, namely, Manoj Kumar, who is the husband of the present petitioner, selected not to pay the amount, as undertaken by him and surrendered before the court below, has been granted regular bail by this Court by order dated 07.05.2018, passed in Cr. Misc. No. 26990 of 2018.

Learned counsel for the petitioner contends that the



petitioner being the wife of the co-accused, Manoj Kumar, who has been granted regular bail by this Court, let her now be allowed the privilege of anticipatory bail.

The plea taken on behalf of the petitioner cannot be accepted. The petitioner had undertaken to pay the said amount of Rs. 2,00,000/- in five monthly installments.

Since the petitioner did not honour the undertaking given to this Court, the second anticipatory bail application cannot be entertained. It is accordingly rejected.

The petitioner is directed to surrender before the court below within two weeks from today and seek regular bail, if so advised. If she does so, her application for regular bail shall be considered on its own merit without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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