

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17249 of 2018

Arising Out of PS.Case No. -43 Year- 2017 Thana -PATORI District- SAMASTIPUR

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Kavita Devi, Wife of-Guddu Das, Resident of Village-Bhaua, P.S.-Patory,
District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Advocate.
Mr. Rashmi Bharti, Advocate.

For the State : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in **Patory P.S.**

Case No. 43 of 2017 instituted for the offence under Sections 341,
323, 302, 504, 427 and 34 of the Indian Penal Code.

Petitioner is lady. In the written report there is general
and omnibus allegation against the petitioner. The allegation in the
written report is that all the accused persons assaulted daughter-in-
law as well as wife of the informant who subsequently died in the
hospital during course of treatment.

Learned counsel for the petitioner has submitted that
some illegal construction was made by the informant over the
public land situated by the side of his house, for which, the village
road was sanctioned and while the road was extended, the
prosecution party arrived and began to scuffle, resulting in injuries



to the injured. It has further been submitted that informant in re-statement before the police has submitted that his wife was assaulted by Pankaj Das with Tube well.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Patory P.S. Case No. 43 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 learned **Chief Judicial Magistrate, Samastipur**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his 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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