

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19964 of 2018

Arising Out of PS. Case No.-241 Year-2017 Thana- CHAKIA District- East Champaran

Most. Kalawati Kuar Wife of late Bihari Sah Resident of Village- Ahirwaliya,
P.S. Chakia, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar
For the Opposite Party/s : Mr. Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

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

Petitioner apprehends her arrest in Chakia P.S. case no.
241 of 2017 instituted for the offence under Section(s) 302/34
of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is mother of co accused Shugan Sah. In the written report, it is
alleged that father of the informant after withdrawing money
went to the house of accused Shugan Sah and he did not return
in the night. The informant got information on next morning that
the dead body of his father was lying in front of the house of
Shugan Sah. There is no allegation of specific overt act against
this petitioner.

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 Chakia P.S. case no. 241 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 C.J.M. Motihari, 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 petitioner 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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