

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2416 of 2018

Arising Out of PS.Case No. -99 Year- 2016 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Juli Kumari @ Manisha Patel, Daughter of Sudhir Kumar and Nitu Kumari

2. Nitu Kumari, Wife of Sudhir Kumar, Daughter of Shivnath Prasad, Both are resident of Village- Mai, Police Station- Hilsa, District- Nalanda at Biharsharif.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Hilsa P.S. Case No. 99 of 2016 instituted for the offence under Sections-419, 120B of the Indian Penal Code.

Petitioners are mother and daughter.

As per allegation levelled by Examination Center Superintendent, S.U. College, Hilsa Neetu Kumari (petitioner No. 2) and Juli Kumari (petitioner No. 1) during Annual Inter Examination, 2016 at Examination Centre S.U. College, Hilsa in the Inter Exam in subject language English, accused Juli Kumari (petitioner No. 1) has appeared in place of her mother Nitu Kumari (petitioner No. 2) whose roll Code was 12011, Roll No. 10083 and have used unfair means.



Counsel for petitioners has submitted that from the FIR itself, it appears that Nitu Kumari was present at examination center.

From the written report, it further appears that both petitioners were present at Examination Centre. Both these petitioners are ladies and they have no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Hilsa P.S. Case No. 99 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda 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) petitioners 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 liable to cancel bail bond of the petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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