

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25363 of 2018

Arising Out of PS. Case No.-105 Year-2015 Thana- SHEOHAR District- Sheohar

Prabha Devi W/o Late Ram Naresh Ojha, R/o Mohalla at Azad Nagar (Ward No. 27), P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 11-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends her arrest in Sheohar P.S. case no.
105 of 2015 instituted for the offence under Section(s)
366A/34 of the Indian Penal Code.

It is submitted that petitioner is not named in the FIR. The
name of this petitioner has come in the statement of the victim
girl recorded under Section 164 Cr. P.C. which is annexed as
Annexure-2 to the bail petition wherein she has levelled
specific allegation against co accused Raj Kumar. This
petitioner is said to be the mother of co accused Raj Kumar.
There is no any 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 Sheohar P.S. case no. 105 of 2015 , 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 CJM, Sheohar, 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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