

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45136 of 2018

In
Criminal Miscellaneous No.13261 of 2016

Arising Out of PS. Case No.- Year- Thana- District- Saran

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Dharmashila Devi W/o Akhilesh Mahto, R/o Vill.- Firojpur, P.S.- Bheldi ,
District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-08-2018 The petitioner seeks modification of the order dated 01.04.2016 passed by a Bench of this Court in Cr. Misc. No. 13261 of 2016 whereby she along with other accused persons was granted anticipatory bail subject to certain conditions, one amongst which was that an affidavit had to be filed before the court below regarding the fair antecedent of the respective petitioners.

The petitioner has one case pending against her and therefore the order which was passed on 01.04.2016 could not be availed of by her. The other accused persons, who were granted bail along with the petitioner, could avail of the benefit of the aforesaid order.

Learned counsel for the petitioner has



submitted that because of the petitioner being a Pardanashin lady having four minor children, she could not know about her implication in one criminal case. It has therefore been urged that the order dated 01.04.2016 be modified to the extent that she be not asked to furnish any affidavit regarding her antecedents.

This Court is afraid, such modification cannot be directed in the order granting bail to the petitioner.

The petitioner, if so advised, may approach the court below and seek bail.

The court below in that circumstance shall take into account that all other accused persons have been granted bail and that the petitioner is a lady who has to look after her four minor children and shall pass an order in accordance with law, preferably on the same day.

With the aforesaid observation, the present petition is disposed off.

(Ashutosh Kumar, J)

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