

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46612 of 2018

Arising Out of PS.Case No. -259 Year- 2018 Thana -SAHARSA District- SAHARSA

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1. Kanchan Devi W/o Jay Jay Ram Bhagat Resident of Village- Goriyari,
P.S. Salkhua, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-08-2018 Heard learned counsel for the petitioner, the informant as
well as the State.

The petitioner apprehends her arrest in Saharsa Sadar P.S.
Case No. 259/2018, instituted for the offences punishable under
Sections 341, 323, 384, 379, 504 and 506/34 of the Indian Penal Code.

In the written report, it is alleged that father of informant
had allowed the husband of this petitioner to live in his house. The land
in question is in the name of the mother of informant Manju Devi
through registered gift deed. After death of his father, he wants to
vacate the house but the accused persons demand *Rangdari* of Rs. 5
lacs.

Learned counsel for the petitioner has submitted that
petitioner is wife of Jay Jay Ram Bhagat. There is no allegation of any
specific overt act against her. It is further submitted that the agreement



for sale was executed between the father of informant and the husband of petitioner.

Considering the facts and circumstances of the case, the 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 Saharsa Sadar P.S. Case No. 259/2018, he 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 Chief Judicial Magistrate, Saharsa, subject to the conditions as laid down under Section 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) 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 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 petitioner.

(Sanjay Priya, J.)

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