

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11502 of 2019**

Arising Out of PS. Case No.-12 Year-2017 Thana- JANTA BAZAR District- Saran

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UMARAVATI KUNWAR Wife of Late Bhikhu Tiwari Resident of Village -
Kateya Purab Tola, P.S.- Janta Bazar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 147, 148, 323, 379,420,467, 468, 471,504/34 IPC registered in connection with Janta Bazar P.S. Case No. 12/2017.

3. It is submitted that the petitioner has been falsely implicated and she had full right to sell the land which came to her possession through her father-in-law as received by him in partition. The complaint has been filed after more than four years on 13.12.2016 after the sale made by the petitioner on 05.09.2012. At best the dispute between the parties is of civil nature and the complaint has been filed merely with a view to circumvent the bar of limitation for filing a Civil Suit. The petitioner is a lady claiming clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Saran at Chapra, District Saran, in connection with Janta Bazar P.S. Case No. 12/2017 subject to the conditions as laid down under Section



438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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