

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22038 of 2019**

Arising Out of PS. Case No.-222 Year-2018 Thana- BHAGWANPUR
District- Vaishali

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Shempu Devi @ Shaimpu Devi, female, aged 28 years, W/o Sakindar
Mahto @ Sikandar Mahto R/o village- Rasalpur Patti, P.S.- Bhagwanpur,
District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party: Mr. Ajay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-04-2019 As prayed, learned counsel for the petitioner seeks permission to delete the sentence “The present FIR has been registered after delay of two days.” which has inadvertently been typed in paragraph 7 of the anticipatory bail petition.

2. As prayed, learned counsel is permitted to delete the said sentence “The present FIR has been registered after delay of two days.” in course of the day.

3. Heard learned counsel for the petitioner and learned APP for the State.

4. The petitioner apprehends her arrest for the offences alleged under Sections 414, 420/34 of the Indian Penal Code registered in connection with Bhagwanpur P.S. Case No. 222 of 2018.



5. It is submitted that the petitioner has been falsely implicated merely because she happens to be the wife of Sakandar Mahto @ Sikandar Mahto from whose house recovery of the looted articles was made. A supplementary affidavit has been filed taking the stand that the petitioner resides with her husband in a joint house and she had no knowledge that the articles kept in the house were stolen goods. She also had no knowledge about the criminal activities of the husband. The petitioner is a lady claiming clean antecedents.

6. 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 Additional Chief Judicial Magistrate-III, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 222 of 2018, 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 cooperate 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) That the petitioner shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present, 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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