

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24932 of 2019

Arising Out of PS. Case No.-5 Year-2017 Thana- BANSHI District- Jehanabad

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Sunita Devi, Wife of Late Surendra Kumar @ Surendra Prasad, Resident of
Village- Mali, P.S.- Banshi, District- Arwal

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Kumar, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-04-2019 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 19.02.2019 in connection with Banshi P.S. Case No.05 of 2017 registered for the offence under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner was the Mukhiya of the concerned Gram Panchayat, where there was alleged irregularities in appointment of Panchayat Teachers. It is submitted that the prayer for anticipatory bail of the present petitioner was rejected on two earlier occasions, but the petitioner has surrendered only in the month of February, 2019. Learned counsel for the petitioner submits that though the irregularities had been detected, the



petitioner had no role to play in the same and the reason for not surrendering in pursuance of the order of this Court is that her husband was ailing who subsequently died on 13.04.2018, which was stated in the earlier application for anticipatory bail. It is also submitted that co-accused Binod Kumar @ Vinod Kumar, who was the Panchayat Secretary at the concerned period when the appointment process was ensuing, has since been granted regular bail in Cr.Misc. No.10097 of 2019, vide order dated 20.02.2019.

Considering the fact that the petitioner's case stands on similar footing and that she was prevented from surrendering earlier on account of genuine reason, let the petitioner, above named, be released on bail on her furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Shree Arun Kumar, learned A.C.J.M. Ist, Arwal, in connection with Banshi P.S. Case No.05 of 2017, subject to the following conditions :

(1) One of the bailors will be her close relative, preferably, father, mother, brother, sister.

(2) The petitioner shall not indulge herself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically



present in court on each and every date during trial and in the event of her failure on two consecutive dates without sufficient reasons, her bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

PNM

(Anjana Mishra, J)

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