

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27860 of 2019**

Arising Out of PS. Case No.-149 Year-2015 Thana- ISUAPUR District-
Saran

=====

INDU DEVI, aged about 36 years, female, Wife of Sudhan Manjhi Resident
of Village - Attanagar, P.O and P.S. - Ishuapur, Distt - Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Binode Bariar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-04-2019

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

2. The petitioner apprehends her arrest for the
offences alleged under Sections 366A/34 of the Indian Penal
Code registered in connection with Ishuapur P.S. Case No. 149 of
2015.

3. It is submitted that the petitioner has been falsely
implicated as evident from the statement of the victim girl
recorded under Section 164 Cr. P.C. (Annexure-2) wherein she
has not named the petitioner rather she has specifically named
other persons. The petitioner has been implicated merely
because she happens to be the *bhabhi* of co-accused Kishore
Kumar who is said to have wanted to marry the victim. The
petitioner claims 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 Sub-Divisional Judicial Magistrate, Saran at Chapra in connection with Ishuapur P.S. Case No. 149 of 2015, 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 remain physically present 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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