

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78553 of 2018

Arising Out of PS. Case No.-355 Year-2017 Thana- BAHERA District- Darbhanga

1. Akash Mishra @ Shankar Mishra, s/o Shashikant Mishra, r/v- Ramauli
2. Pravin Jha, s/o Dinesh Jha, r/v-Nawada.
3. Anju Devi, w/o Krishna Murari Jha.
4. Krishna Murari Jha @ K. Murari Jha, s/o Jayanand Jha, r/v- Ramauli. All
are under the P.S.-Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No-2
For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-01-2019 Learned counsel for the petitioners seeks permission
to withdraw the anticipatory bail petition of petitioner nos. 1, 2
and 4.

The anticipatory bail petition of petitioner nos. 1, 2
and 4 is dismissed as withdrawn.

Heard learned counsel for the petitioner as well as
the State.

Petitioner no. 3 apprehends her arrest in Bahera
P.S. Case No. 355/17, instituted for the offences punishable
under Sections 447, 341, 323, 324, 325, 379, 307, 504 and 34 of
the Indian Penal Code.

Learned counsel for petitioner has submitted that
earlier petitioner had filed petition for restoration of Cr. Misc.



No. 25206/2016, which was dismissed for non-compliance of peremptory order passed by this Court. Aforesaid restoration petition (Cr. Misc. No. 64295/2018) was disposed off by this Court on 31.10.2018 with observation that the petitioner if so advised may file fresh anticipatory bail application. As per direction and observation made by this Court, the instant petition has been filed. It is further submitted that petitioner is lady. There is no allegation of any specific overt act against her.

It is alleged in the written report that this petitioner along with other accused persons assaulted the wife of informant.

There is general and omnibus allegation against petitioner no. 3.

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 Bahera P.S. Case No. 355/2017, she 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 Addl. Chief Judicial Magistrate, Darbhanga, 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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