

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53491 of 2018

Arising Out of PS. Case No.-22 Year-2017 Thana- GOPALPUR District-
Patna

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Rekha Devi Wife of Ram Pravesh Singh, Residing at Shiwaji Chowk, P.S.-
Ram Krishna Nagar, Dist- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 11-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 353, 379 and 504 of the Indian Penal Code registered in connection with Gopalpur P.S. Case No. 22 of 2017.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of the petitioner's application for mutation pending before the Circle Officer, Sadar and for which she did not accede to the demand for illegal gratification. There is delay in sending the written report on 18.02.2017 by the informant for the alleged occurrence of 16.02.2017.

4. Pursuant to order dated 04.09.2018, a report has been received from the Sub-Judge IX-cum-A.C.J.M.-IX, Patna according to which the petitioner had filed a petition for mutation on 23.01.2017 and was disposed of on 06.04.2017. It would therefore appear that the petitioner's mutation application was pending on the alleged date of occurrence of 16.02.2017.



5. 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 Judge-IX cum A.C.J.M., Patna in connection with Gopalpur P.S. Case No. 22 of 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) 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) 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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