

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61588 of 2018

Arising Out of PS. Case No.-76 Year-2017 Thana- KORMA District- Sheikhpura

Shila Devi W/o Parmeshwar Yadav, resident of Village- Chunnipur Patrahta,
P.S.- Korma, District- Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed. Rizwanul Haque
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/34 iPC registered in connection with Korma P.S. Case No. 76 of 2017.

3. It is submitted that the petitioner has been falsely implicated and the petitioner is not named in the FIR which has been instituted against other co-accused persons. The petitioner's name has transpired in course of investigation after about five months in a completely different version by an unknown eye-witness. It is stated thjat other the other hand, the eye witnesses as well as the informant in his restatement have supported the FIR version. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing suo motu oppose the anticipatory bail petition on the basis of case diary.

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 CJM, Sheikhpura, in connection with Korma P.S. Case No. 76 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. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself 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 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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