

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46355 of 2019

Arising Out of PS. Case No.-403 Year-2013 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. KANCHAN KUMARI @ KANCHAN DEVI Wife of Shailendra Jha
Resident of Village and P.O.- Harinagar, P.S.- Kusheswar Asthan, District-
Darbhanga
 2. Shailendra Jha Son of Dev Kant Jha Resident of Village and P.O.- Harinagar,
P.S.- Kusheswar Asthan, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Shekhar
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 26-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kusheshwar Asthan/ K. Asthan P.S. Case No. 403 of 2013, corresponding to G.R. No. 1270 of 2013 disclosing the offence under Sections 341, 323, 353, 427, 504, 506/34 of the Indian Penal Code.

Petitioner no. 2 is the husband of petitioner no. 1. Petitioner no. 1 was working as a *Sahayika* at Harinagar Anganwari Centre. Allegedly, when there was selection process going on for appointment against the post of *Sahayika*, for the said centre, petitioners entered into the office of the informant, a



Child Development Project Officer, and torn away the proceeding register. They are also said to have used abusive language.

Learned counsel appearing on behalf of the petitioners has submitted that the allegation made in the First Information Report is incorrect, for ulterior reasons and since petitioner no. 1 was protesting against the irregularities being committed by the Selection Committee in selection of *Sahayika*, she and her husband have been falsely implicated.

Be that as it may, considering the nature of accusation, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Judicial Magistrate-Ist Class, Biraul, Darbhanga in Kusheshwar Asthan/ K. Asthan P.S. Case No. 403 of 2013, corresponding to G.R. No. 1270 of 2013, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/ Court, as the case



may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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