

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79739 of 2018

Arising Out of PS. Case No.-197 Year-2018 Thana- MOUZA HIDPUR District- Bhagalpur

Archana Devi W/o Rakesh Kumar @ Banti R/moh-Mohaddinagar, P.S-
Mojahidpur, Distt.-Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 306 IPC registered in connection with Mojahidpur (Babarganj) P.S. Case No. 197/2018.

3. It is submitted that the petitioner has been falsely implicated and even according to the averments in the FIR, the ingredients of the offence alleged under Section 306 IPC are not made out against the petitioner and admittedly the deceased committed suicide on his own volition in course of a petty dispute. The petitioner is a lady claiming clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 197/2018, 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 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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