

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67758 of 2018

Arising Out of PS. Case No.-465 Year-2017 Thana- MOTIHARI MUFASIL District- East
Champaran

Nilam Devi @ Smt. Nilam Devi, wife of Anil Singh, Resident of Village-
Madhubani Ghat, P.S. Motihari Muffasil, District -East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Binod Kumar Singh Mr. Sumeet Kr. Singh, Advocates
For the Opposite Party	:	Mr. Rajendra Pd. Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 420, 409 and 506 of the Indian Penal Code registered in connection with Motihari Muffasil P.S. Case No. 465 of 2017.

3. It is submitted that the petitioner has been falsely implicated and in any event, all the Government articles said to have been kept by the petitioner have since been returned to the concerned Panchayat Secretary, Madhubani Ghat on 27.11.2017 (Annexure-4). The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection



with Motihari Muffasil P.S. Case No. 465 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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, her bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That 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.

(Vikash Jain, J)

BT/Chandran

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