

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86303 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- LAUKAHI District- Madhubani

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TILIYA DEVI @ TILOTAMA DEV Wife of Parmeshwar Yadav Resident of
Village- Dhabahi, P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

Allegation against petitioner is of assaulting the father of informant with iron rod.

It has been submitted by learned counsel for the petitioner that the anticipatory bail of the petitioner was rejected vide order dated 10.05.2019 in Criminal Miscellaneous No. 21627 of 2019 by a co-ordinate bench of this Court with an observation that '*if it is found that the injury sustained by the father of the informant is found to be simple in nature, she shall be released on bail by the court below,*' but despite the injuries found to be simple in nature by the Doctor, the court below has



rejected the prayer for regular bail of the petitioner. It has been further submitted by learned counsel for the petitioner that injuries were found to be simple in nature by the Doctor and the injury report has been annexed as Annexure-3 to this petition. Similarly, situated co-accused person Satish Yadav on whom the allegation was of assaulting the father of the Informant with *Farsa* has been granted bail by a co-ordinate bench of this Court vide order dated 04.09.2019 in Criminal Miscellaneous No. 54902 of 2019. Petitioner has got no criminal antecedent and is in custody since 14.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Laukahi P.S. Case No. 60 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the



court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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