

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2187 of 2020

Arising Out of PS. Case No.-43 Year-2019 Thana- SAUR BAZAR District- Saharsa

Sharmila Devi, Wife of Anil Yadav, Resident of Village- Paharpur, Kumar Tola, PaTarghat (O.P.), P.S.- Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the parties.

The petitioner apprehends her arrest in Sour Bazar (Patarghat O.P.) P.S. Case No. 43 of 2019 registered for the offence(s) punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

As per the prosecution case, accused persons including the petitioner tried to encroach the land of the informant and on protest, the accused persons including the petitioner assaulted the informant as well as her family members.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. It is alleged that petitioner assaulted Geeta Devi, but there is no injury report brought on record. Petitioner is not alleged to have assaulted the



deceased. Petitioner is a lady having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as the nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Saharsa in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 43 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

Ankit/-

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