

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43829 of 2021

Arising Out of PS. Case No.-2543 Year-2004 Thana- SARAN COMPLAINT CASE District-
Saran

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ASHA DEVI Wife of Dinesh Bhagat Resident of Village - Sutihar Mathiya,
P.S. Derni, District - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi Wife of Dinesh Bhagat D/o Late Fulena Bhagat, Resident of
Village - Sutihar Mathiya, P.S. Derni, District - Saran at present Resident of
Village - Parsauna, P.S.- Parsa, District - Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-12-2021 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four
weeks after complete start of the physical Court.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 323, 379
and 498(A) of the Indian Penal Code.

Petitioner is said to be second wife of the husband of
opposite party no. 2. Allegation is under Section 498-A of the
Indian Penal Code.

Submission is that husband has already been allowed
bail in this case and petitioner is herself a victim. Petitioner has
got no criminal antecedent.

Considering the facts of this case aforesaid,



especially, the fact that the petitioner is a female, let the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Tr. No. 889 of 2020 arising out of Complaint Case No. 2543 of 2004, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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