

**Binda Devi and ors. Vs. the State of Bihar**

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**SooperKanoon Citation :** [sooperkanoon.com/975482](http://sooperkanoon.com/975482)

**Court :** Patna

**Decided On :** May-25-2012

**Appellant :** Binda Devi and ors.

**Respondent :** The State of Bihar

**Judgement :**

Patna High Court Cr.Misc. No.2732 of 2012 (2) dt.25-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.2732 of 2012  
===== 1. Binda Devi, wife of Vishwakarma Sharma 2. Vishwakarma Sharma, son of late Halkhori Sharma 3. Shakuntla Kuer, wife of Late Ramjee Sharma .... .. Petitioner/s Versus The State of Bihar .... .. Opposite Party/s  
===== CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA ORAL ORDER (Per: HONOURABLE MR. JUSTICE AKHILESH CHANDRA

25. 01-2012 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State. The petitioners apprehending their arrest in connection with Aurangabad (M) P.S. Case No. 208/2010 for the offences under Sections 363 and 365 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Aurangabad. This is second attempt made on behalf of the petitioners for the grant of anticipatory bail. Earlier prayer has been dismissed as withdrawn vide order dated 25.07.2011 passed in Cr. Misc. No. 12612/2011. Submission is that subsequent to earlier order the parties entered into compromise

duly signed by all concerned. Considering the facts and circumstances, in the event of victim and informant appearing before the court below Patna High Court Cr.Misc. No.2732 of 2012 (2) dt.25-01-2012 on due identification supporting the factum of compromise with their free-will and consent without any coercion and the informant stood as one of the bailors, in the event of their arrest or surrender within a period of four weeks, let the above-named petitioners be enlarged on bail on furnishing bail bond of sum of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (M) P.S. Case No. 208/2010, subject to condition under section 438(2) of the Code of Criminal Procedure, and additional condition to attend the court regularly till disposal of the case, in the event of failure on two consecutive dates, without any reasonable explanation, the privilege granted shall be deemed to be cancelled. Rajeev/- (Akhilesh Chandra, J.)

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