

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49448 of 2014

Arising Out of PS.Case No. -161 Year- 2014 Thana -BAHERI District- DARBHANGA

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Asha Devi W/o - Jagdish Manjhi Resident of Village - Bandihuli Tola,
Purbi, P.S. - Baheri and Distt. - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. T.N. Thakur (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-05-2015

Heard both sides.

The petitioner apprehends her arrest in a case under
Section 302 and other sections of the Indian Penal Code.

The informant alleged that the petitioner and her
husband firstly assaulted the informant and thereafter assaulted her
husband with fists and slaps. The husband of the petitioner is
alleged to have pressed the scrotum of the husband of the
informant causing his death. It is submitted that the post-mortem
report does not show that the deceased was assaulted or his
scrotum was pressed causing his death. The husband of the
petitioner has already been enlarged on regular bail by the learned
1st Additional Sessions Judge vide order passed in B.P. No. 545 of
2014.

It appears that the petitioner is also alleged to have

assaulted the informant and the husband of the informant and the husband of the informant died.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Baheri P.S. Case No. 161 of 2014. Accordingly, the same is rejected.

The petitioner is directed to surrender in the court below within four weeks from the date of receipt / production of a copy of this order and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner taking into consideration that the husband of the petitioner has already been enlarged on regular bail and the case of the petitioner stands on the same footing and dispose of the same preferably on the same day.

(Prabhat Kumar Jha, J)

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