

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17562 of 2015

Arising Out of PS.Case No. -139 Year- 2012 Thana -BALIA District- BEGUSARAI

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Hiramani Devi @ Hira Devi Wife of Gautam Rastogi

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the mother of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Section 304B/34 of the Indian Penal Code.

Accusation is killing the sister of the informant within few months of the marriage. Earlier the anticipatory bail application of the petitioner was rejected by a co-ordinate bench of this Court (now retired) vide Criminal Miscellaneous No. 6582 of 2014 on the ground that petitioner's initial anticipatory bail application was rejected vide order dated 08.07.2014 by the learned Sessions Judge vide ABP No. 1195 of 2012 and, thereafter, the petitioner again moved before this court on 10th

February 2014 against the said order by filing Criminal Miscellaneous No. 6582 of 2014.

The prayer for anticipatory bail of the petitioner has been renewed by filing this second bail application on the ground that the husband of the victim has now been acquitted by judgment dated 06.02.2015 passed by the learned Sessions Judge, Begusarai Sessions Trial no. 697 of 2013, the same has been brought on record as annexure-3.

In view of the above facts, this Court is not inclined to entertain the second anticipatory bail application.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Ballia P.S. Case No. 139 of 2012, pending before the learned Chief Judicial Magistrate, Begusarai in view of the fact that husband of the victim has already been acquitted.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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