

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28632 of 2014

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Fikni Devi, W/o Sanjay Prasad, R/o Vill.- Bhawani Bigha, P.S. -
Warsaliganj, Dist. - Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Advocate

For the Opposite Party/s : Mr. C.Jawahar(APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 05-01-2015 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner apprehending her arrest in connection with Shekhopur Sarai P.S. Case No. 42 of 2013 registered for the offences alleged under Sections 302, 201, 498A/34 of the Indian Penal Code seeks privilege of pre arrest bail.

Allegedly, the daughter of the informant was married about 8 years ago with Mukesh Mahto and was blessed with two children, but after marriage she was being tortured for fulfillment of dowry. She was also sometime beaten and was ousted from the matrimonial house and on negotiation she was allowed. Again demand of Rs. 50,000/- was made and lastly she was killed and her dead body was also cremated.

Submission at the bar is that the petitioner is



married nanad and she is living with her husband at village Bhawani Bigha in Warsaliganj Police Station having no concern. The petitioner is mother of two daughters. The daughter of the informant was ill and she was being brought to P.M.C.H., but in the way she died. On the date the petitioner was not present there. The husband is in custody and Panchola Devi and other have been allowed bail by another Bench of this Court vide Cr. Misc. No. 23479 of 2014. In the case diary the I.O. examined the Doctor, who has treated the daughter of the informant and she was serious having high blood pressure. The photo-copy of the prescription of the Doctor is also attached with the case diary. The I.O. has also written in para-22 of the case diary that the petitioner was not present in the village on the date of occurrence to which the learned APP opposes by submitting that it is not a fit case of pre arrest bail, rather a case of regular bail.

Considering the submissions at the bar going through the First Information Report and case diary and noticing that it has come that the petitioner was not present in her naihar Dowadih and the Doctor has also treated her and found her condition serious having high blood pressure and she was referred to P.M.C.H. and as such in the facts and circumstances, the above named petitioner in case of her surrender or arrest before the court below within one month from the date of communication of this order shall be released

on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Shekhpura in connection with Shekhopur Sarai P.S. Case No. 42 of 2013 with condition as laid down under Section 438(2) Cr.P.C.



(Jitendra Mohan Sharma, J)

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