

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45840 of 2015**

Arising Out of PS.Case No. -382 Year- 2009 Thana -SIKANDARA District- JAMUI

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Lalita Devi Wife of Jyoti Yadav resident of village - Rajadih, P.S.  
Sikandra, District - Jamui

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. R.P.S.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2      30-10-2015                      Heard learned counsel for the parties.

Having regard to the fact that the petitioner's prayer for anticipatory bail was already dismissed as withdrawn on 13.12.2011 in connection with an offence of the year 2009 and the petitioner has moved again for anticipatory bail before this Court by filing this application on 24.9.2015 on the ground that the co-accused Dinesh Yadav and others were granted privilege of anticipatory bail on 15.5.2014, this Court must hold the present application to be wholly ill-advised and misconceived.

Let it be noted that earlier prayer for anticipatory bail of the petitioner having been not allowed in view of the finding recorded in the viscera report, learned counsel for the petitioner had sought permission to withdraw the application with a liberty for the petitioner to surrender before the court below within a

fortnight and thereafter though Jyoti Yadav had surrendered and was granted regular bail on 23.6.2015 in Cr.Misc.No. 16930/2015 but the petitioner Lalita Devi did not care for the undertaking given for her surrender and she did not surrender with Jyoti Yadav though she was none else but the wife of Jyoti Yadav.

In that view of the matter, it becomes very clear that the petitioner firstly has got no apprehension of arrest because from 2009 to 2015 she has not been arrested by the police till now and secondly, she has never been faithful to her own words and commitment as was made by her before this Court while withdrawing her prayer for anticipatory bail as recorded in the order dated 13.12.2011 in Cr.Misc.No. 38087/2010.

In that view of the matter, this application must fail and is hereby dismissed.

**(Mihir Kumar Jha, J)**

surendra/-

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