

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41096 of 2015

Arising Out of PS.Case No. -197 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Santosh Dubey, S/o Gsuri Shankar Dubey.
2. Rani Devi W/o Santosh Dubey. Both resident of Village- Arauwa, P.S.-
Majhauria, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shally Kumari, Adv.

For the Opposite Party/s : Mr. Aditya Nr. Singh1 (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 09-11-2015 Heard Mr. Siya Ram Shahi learned counsel for the

petitioner, Sri Bimlesh Kumar Pandey learned counsel for the

informant and learned A.P.P.

After some argument learned counsel for the petitioner
seeks permission to withdraw anticipatory bail petition of
petitioner no. 1. Santosh Dubey. Accordingly, anticipatory bail
petition of Santosh Dubey is dismissed as withdrawn with
observation that if the petitioner surrenders before the court below
within four weeks from the date of receipt/production of a copy of
this order and pray for regular bail, his prayer shall be considered
on its own merit without being prejudiced by this order.

Heard both sides.

The petitioner no. 2 apprehends her arrest in Majhaulia P.S. Case No. 197/2015, registered for the offences punishable under Section 304B and other sections of the Indian Penal Code.

The father of the deceased made allegation that her daughter called him at 11.00 P.M. and sought to help her. The telephone was disconnected. The informant called back immediately thereafter and petitioner no. 1 is said to have picked up the receiver and replied that your daughter was threatening you. In the next morning, the informant got information from the villagers that the daughter was burnt to death.

Learned counsel for the petitioners submits that petitioner is a lady and she did not ever torture her sister-in-law, the deceased. Even the informant did not make any specific allegation against the petitioner.

Learned counsel for the informant however, opposed prayer for anticipatory bail, but at the same time submits that the petitioner is a lady.

Considering the facts aforesaid and the fact that the petitioner no. 2 Rani Devi is sister-in-law of the deceased, the petitioner no. 2, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be

enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Majhaulia P.S. Case No. 197/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

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