

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39016 of 2014

Arising Out of PS.Case No. -107 Year- 2003 Thana -MADHEPURA District- MADHEPURA

Sanhita Devi W/o Kewal Yadav Resident of Village Hanuman Nagar,
Police Station Madhe (Bharrahi O.P.), District Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 16-01-2015

This application under Sections 439 and 440 of the Code of Criminal Procedure is filed for grant of regular bail. The petitioner, her husband and four others are facing trial in relation to the death of her co sister-in-law. A perusal of the record discloses that the brother-in-law of the petitioner herein by name Dashrath Yadav went to his father-in-law, i.e. Ganesh Yadav on 31.5.2013 and informed that Dashrath's wife was killed by his father, brother, sister-in-law, i.e. the petitioner herein, and some other. The police registered a case by invoking provisions of Sections 302, 498A, 201/34 of the Indian Penal Code.

The petitioner moved her regular bail petition before the Sessions Judge, Madhepura, vide S. T. No.183(A)/2004. The same was rejected on 25.6.2014. Hence this application.

Heard Mr. Shailendra Kumar Singh for the petitioner and Mr. Anil Kumar, learned APP.

This Court finds that though the husband of the deceased was the first person to notice the death, he did not submit a complaint and it was only his father-in-law who submitted the complaint after one day of the occurrence. It is not difficult to imagine that it could be filed after so much of deliberation against the petitioner. Being a lady, petitioner is in jail since more than ten months.

This Court is satisfied that she deserves to be granted bail. The petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Adhoc-I, Madhepura in connection with S.T. No. 183(A)/2004 arising out of Madhepura (Bharrahi O.P.) PS Case No.107 of 2003.

(L. Narasimha Reddy,CJ)

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