

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18763 of 2015

Arising Out of PS.Case No. -161 Year- 2013 Thana -BHELDI District- SARAN

=====

Munna Devi. Wife of Dinanath Singh. Resident of village - Dumariya, P.S.-
Bheldi, District - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Rai

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 17-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Section 304(B)/34 of the Indian Penal Code and that the prayer for anticipatory bail of co-accused Bipin Singh and Seema Devi has already been rejected, this Court would not find the petitioner Muna Devi to be also entitled for grant of anticipatory bail.

The plea that the main accused has been acquitted from charge will be of no help to the petitioner. This has become a trend to let one accused appear and fact the trial by keeping the other accused persons away from such trial. This Court, therefore, will not be inclined to grant anticipatory bail only on the ground that the co-accused has been acquitted of the charges. The

petitioner, being named accused, ought to have surrendered so that her trial also concluded. Now when the petitioner did not surrender leading to trial being segregated, she cannot expect privilege of anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner, namely, Munna Devi is hereby rejected.

(Mihir Kumar Jha, J)

Rishi/-

U		T	
---	--	---	--