

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14660 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -CHAUSA District- MADHEPURA

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Pinki Devi Wife of Sri Chandra Shekhar Sharma, Resident of Village -
Lauaagan, P.S.-Chausa, District - Madhepura. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate.

For the Opposite Party/s : Mr. S.N Shukla (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

4 13-08-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Chausa P.S. Case No. 45 of 2014, disclosing offences under
Sections 302/34 of the Indian Penal Code.

The petitioner and her husband both are accused in the
said Chausa P.S. Case No. 45 of 2014. The petitioner's husband is
already in custody. The allegation is of assault by the petitioner
and her husband by Lathi causing head injuries on the husband of
the informant leading to his death.

Learned counsel for the petitioner has submitted that
the post-mortem report does not corroborate the prosecution case
and has further contended that no tangible purpose will be served
if the petitioner taken into custody as there is no chance of her
tampering with the evidence during the course of investigation or

trial.

Considering the aforesaid submission and the fact that the petitioner is a lady I am inclined to grant the petitioner for privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, above-named, in the event of her arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 45/14, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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