

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.421 of 2015

Arising Out of PS.Case No. -39 Year- 1999 Thana -BIHPUR District- BHAGALPUR

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Akhtari Begum, wife of Sk. Nisar, resident of Village-Jhandapur, P.S.-
Jhandapur (Birpur), District-Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 07-01-2015 Heard both sides.

The petitioner, Akhtari Begum, apprehends her arrest in Bihpur (Jhandapur) P.S. Case No.39 of 1999, registered under Sections 302 and other sections of the Indian Penal Code.

Learned counsel for the petitioner submits that the prayer for anticipatory bail of the petitioner was earlier rejected in the year 2002 vide order passed in Cr. Misc. No. 26007 of 2001, but the police, after investigation, submitted final form on 27.12.2002. The learned Court below, differing with the finding of the investigating officer, took cognizance. Non-bailable warrant of arrest was issued against the petitioner in the year 2012. Some of the accused were put on trial and they were acquitted. There is absolutely no evidence against the petitioner.

Be that as it may, it appears that the anticipatory bail

petition of the petitioner was rejected in the year 2002 itself and the petitioner remained absent or evaded her arrest for last 13 years, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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