

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29668 of 2014

Arising Out of PS.Case No. -36 Year- 2014 Thana -BALIGAON District- VAISHALI(HAJIPUR)

1. Asha Devi W/o Satyendra Prasad Singh
2. Nitu Kumari @ Nitu Singh
3. Sadhana Kumari @ Sadhna Singh D/o Satyendra Prasad Singh
4. Guria Kumari @ Guri Kumari All R/o Village - Pyarepur, P.S. - Baligaon, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 13-01-2015 This is an application for anticipatory bail for the offence punishable under sections 498 A and 376/34 of the I.P.C and section 34 of D.P.Act.

It is submitted that against petitioner nos. 2, 3 and 4 final form has been submitted and as such permission has been sought to withdraw their bail application which is accorded. The bail application of petitioner no.2 Nitu Kumari @ Nitu Singh, petitioner no. 3 Sadhana Kumari @ Sadhana Singh and petitioner no. 4 Guria Kumari @ Guri Kumari is dismissed as withdrawn.

Heard learned counsel for the petitioner Asha Devi, learned counsel for the informant and the learned A.P.P. for the State.

It is alleged that the informant was married with Manish Kumar and thereafter she went to her Sasural, but her husband and mother in-law started demanding motorcycle and Rs. 1,000,00/- as dowry and due to non-

fulfillment of dowry she was subjected to cruelty by various means. It is further alleged that co-accused Satendr Prasad Singh committed rape upon her and all the accused persons tried to set her on fire by sprinkling kerosene oil on her body, but any how she had saved herself and then the accused persons ousted her from the matrimonial house.

On behalf of the petitioner Asha Devi it is submitted that she is innocent and has committed no offence and she has been falsely implicated in this case. She is living separately from the husband of the informant and she being mother-in-law deserves sympathetic consideration, to which the learned A.P.P. does not oppose.

As the petitioner Asha Devi is mother-in-law and is claiming to live separately and as such the petitioner No.1 Asha Devi, in case of her arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Vaishali at Hajipur in Baligaon P.S. Case No. 36 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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