

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32936 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -BRAHMPURA District- MUZAFFARPUR

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Madhuri Shukla @ Madhuri Devi Wife of Late Rajiv Shukla, Resident of
Village- Bakhra, P.S. - Saraiya, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. M.K.Nirala(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 01-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Brahmpur P.S. Case No. 36 of 2015 registered for the offences
punishable under Sections 302, 201, 120B of the Indian Penal
Code.

Earlier case diary of the present case was called for
which has since been received.

Learned counsel for the petitioner submits that there
was absolute cordial relationship between the husband and the
wife but the members of the deceased family i.e. mother, brother
and the sister have made false accusation against her even though
she, at the very outset, submitted that deceased had consumed
quick phos. It is further submitted that though the deceased was



conscious and had survived for about two days after the occurrence but neither his statement was recorded nor medico legal case was registered in either of the hospitals where he was treated. It is further submitted that the present case has been lodged after a period of 18 days after the occurrence before the concerned Magistrate.

Learned counsel appearing on behalf of the State submits that the mother of the deceased as well as brother and sister has stated that the petitioner was responsible for having given poison to the deceased and the same fact has been justified by the son of the deceased.

Considering the aforesaid submissions and also the fact that there is no history of any tension between the parties and that they had been living peaceful harmonious life for 10 years and apart from this, since the petitioner is a lady having a small child to take care, I think it proper to grant him privilege of anticipatory bail and accordingly, the petitioner above named, in the event of her arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzuffarpur

in connection with Brahmpura P.S. Case No. 36 of 2015, subject
to the conditions as laid down under Section 438(2) of the Cr.P.C..

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(Anjana Mishra, J)

