

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39841 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -JALE District- DARBHANGA

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Lalita Devi W/o Sheo Shankar Mishra, Resident of village- Radhi, P.S.-
Jalley, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Ashok Kr.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-10-2015

Heard learned counsels for the petitioner

and the State.

The petitioner being the mother of the husband of the victim is apprehending her arrest in a case registered for the offences punishable under Sections 328 and 302/34 of the Indian Penal Code.

The prosecution case is of killing the daughter of the informant after 18 years of marriage by throttling and administering poison. The informant has further alleged that when he went to the in-laws house of his daughter he found the blood oozing out from her mouth and nostrils.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general. The post-

mortem reflects some blood stained on the nostrils. No external or internal injury was found. The cause of death has not been ascertained and the viscera has been preserved. No resisting injury has been found during post-mortem.

Considering the fact that accusation is not corroborated with the medical opinion and the petitioner being a lady, let the above named petitioner be released on anticipatory bail in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Jalley P.S. Case No. 104 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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