

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22064 of 2016

Arising Out of PS.Case No. -196 Year- 2011 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

=====

Savitri Devi wife of Channu Patel, Resident of Village- Bhitaha Mathia,
P.S.- Bairiya, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party : Mr. Kanhaiya Kishore (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bairiya
P.S. Case No.196 of 2011 registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

The petitioner is not named in the First Information
Report but later on, after completing investigation charge sheet
has been submitted against the petitioner also on 17.02.2016,
wherein it is alleged that Mainka Devi married to Dinesh Patel
seven years ago was allegedly burnt to death.

Submission is of false implication and that the
petitioner is an old mother-in-law, the petitioner has surrendered
voluntarily on 27.02.2016 after rejection of her pre arrest bail vide

order dated 03.02.2016, she is not named in the F.I.R, there is no allegation against her, the prosecution story appears not reliable and without any fault, the petitioner is suffering in custody and as such, she deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioner is not named in the F.I.R, she has voluntarily surrendered and there is no chance of tampering with the prosecution evidence and as such, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bairiya P.S. Case No.196 of 2011, subject to conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Amit/-

U		T	
---	--	---	--