

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5426 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

1. Shanti Devi Wife of Ram Chandra Rai Resident of village - Sirauli, P.S.
Madhuban, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy-1, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-03-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Madhuban Police Station Case No. 37 of 2015,
disclosing offences under Section 302/34 of the Indian
Penal Code.

The petitioner is a lady and is mother of co-
accused Sunil Rai.

From the First Information Report, I find that
there is specific allegation of assault against all the accused
persons including the present petitioner.

Learned Counsel for the petitioner submits that
the entire family of the petitioner has been implicated
because of a land dispute. He submits that the manner, in

which the petitioner, who is an old lady, has been implicated, creates serious doubt over the case of the prosecution.

Only on the ground that the petitioner is a lady, this application is allowed.

Let the petitioner, Shanti Devi, in the event of her arrest or surrender before the Court below within six weeks, 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 learned Sub Divisional Judicial Magistrate, Sikarhana, in connection with Madhuban Police Station Case No. 37 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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