

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24770 of 2016

Arising Out of PS.Case No. -288 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

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Samita Khatoon wife of Md. Kalim, Resident of Village- Banghara Hussain Chowk, Police Station- Ghataho, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Nityanand(App), APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 09-11-2016 Heard both sides.

The petitioner apprehends her arrest in Dalsingsarai P.S.

Case No. 288/2014, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The prayer for anticipatory bail of the petitioner was earlier rejected vide order dated 01.07.2015 passed in Cr. Misc. 14980/2015. The petitioner again filed this anticipatory bail petition on the ground that Viscera report is received in which it was found that the deceased died due to consumption of Aluminium Phosphate. Petitioner is a lady, but from perusal of the F.I.R. as well as record it appears that the informant made specific allegation that the petitioner and others assaulted Md. Qasim husband of the informant with fists and slaps and sticks.

Thereafter the husband of the informant died. The post-mortem report shows that the deceased bore some external injury. The F.S.L. report shows that Aluminium Phosphate was also found inside the abdomen of the deceased.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge anticipatory bail to the petitioner which was earlier rejected by this court. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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