

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19221 of 2016

Arising Out of PS.Case No. -39 Year- 2015 Thana -AURAI District- MUZAFFARPUR

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Kiran Devi, wife of Dilip Rai, Resident of village- Halimpur, P.S.- Aurai,
District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bela Singh, Advocate

For the Opposite Party : Mr. Anil Kumar Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 13-07-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Aurai P.S. case no. 39/2015 disclosing offences under Sections 302/34/201 of the Indian Penal Code.

The petitioner is a lady and she is not named in the first information report. Her name surfaced in course of investigation.

Learned counsel appearing for the petitioner has submitted that there is neither any eye-witness to the occurrence nor there is sufficient circumstantial evidence to justify petitioner's implication in commission of the offence.

Learned Addl. Public Prosecutor, while referring to the case diary, has submitted that there is strong suspicion

against the petitioner of commission of offence as she was seen coming from a particular direction on the date of occurrence.

Over and above the aforesaid, there is no material collected during investigation, justifying petitioner's implication.

Considering the above, this application is allowed.

Let the petitioner abovenamed in the event of her arrest/ surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Jawed Alam, J.M. 1st class, Muzaffarpur in Aurai P.S. case no. 39/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present her 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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