

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27909 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Mostt. Dhaneshwari, wife of Late Shivmangal Sah, resident of Village-
Pathkauliya, P.S.- Patahi, District- East Champaran Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Adv.

For the Opposite Party : Mr. Manoj Kumar – 1, APP 185

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 01-09-2016

Heard both the sides.

The petitioner apprehends his arrest in Patahi P.S.
Case No. 30 of 2015 under Section 304(B)/34 of the Indian Penal
Code.

The informant alleged that his sister was married
with Hari Kishore Sah six years ago, but, the accused persons
were demanding different articles and torturing his sister. The
informant got information on 23.02.2015 that his sister was burnt
to death and the accused persons gone with the dead body for
cremation. The informant went there and recovered the dead body
of his sister. It is submitted that the petitioner is the mother-in-law
of the deceased though specific allegation made against the
petitioner is that the marriage was solemnized six years ago and
she is a widow living separately from her son, the husband of the
deceased. The husband Hari Kishore Sah has already been
enlarged on regular bail vide order passed in Cr. Misc. No. 36018
of 2015.

Considering the facts and circumstances that the
petitioner is the mother-in-law of the deceased and deceased died

after six years of the marriage, but, no specific allegation is made during the substance of marriage and even thereafter, the petitioner, above named, in the event of her arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with the Patahi P.S. Case No. 30 of 2015 to the satisfaction of the Subdivisional Judicial Magistrate, Sikrahana, East Champaran at Motihari, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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