

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42450 of 2015

Arising Out of PS.Case No. -35 Year- 2010 Thana -AKILPUR District- PATNA

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Kalawati Devi W/o Loknath Paswan @ Loknath Manjhi @ Lokan Paswan,
Resident of village- Ramdas Chak, P.S.- Akilpur, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. T.P.Mandal, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner, who is the mother-in-law of the deceased Runa Devi, is apprehending her arrest in connection with Akilpur P.S. Case No. 35 of 2010 registered for the offences punishable under Sections 328/302/34 of the Indian Penal Code.

Case diary in the present case was called for which has since been received.

Learned Counsel for the petitioner submits that though, admittedly, the death occurred in the house of the petitioner, the deceased and the petitioner as well as other family members had been on cordial terms. It is submitted that as against other accused persons, charge-sheet has now been submitted under Section 306/34 of the Indian Penal Code.

Learned Counsel appearing on behalf of the State, after perusal of several paragraphs of the case diary, submits that though the case has been found true against the petitioner and others, charge-sheet has been submitted against other two persons under Section 306 of the Indian Penal Code. He further submits that the viscera report has found presence of highly poisonous substance.

Considering the aforesaid facts and circumstances of the case and the materials available in the case diary and also taking into consideration that the petitioner is an old lady and no specific allegation has been attributed to her, let the petitioner, Kalawati Devi, in the event of her arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Akilpur P.S. Case No. 35 of 2010, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J.)

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