

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42973 of 2015

Arising Out of PS.Case No. -4 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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Lachia Devi Wife of Rajendra Yadav R/o Village Srimatpur, P.S. Pirpanti,
District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 04-01-2016

Heard both sides.

The petitioner apprehends her arrest in Pirpainty P.S.
Case No. 04/2015, registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code.

The gist of allegation is that the petitioner developed
illicit relation with Shailendra Yadav and that is why wife of Shailendra
Yadav left her house. Gayatari Kumari (the deceased), daughter of
Shailendra Yadav was living with him. It is alleged that Shailendra
Yadav, Petitioner Lachia Devi, Rajendra Yadav, Diga Yadav @
Narendra Kumar Yadav and Maliya Kumari @ Mila Kumari assaulted
Gayatri Kumari and concealed her dead body.

It is submitted that there is no eye-witness of the
occurrence. The witnesses have made omnibus and general allegation
that Diga Yadav, Maliya Kumari, Lachia Devi (petitioner), Rajendra
Yadav and Shailendra Yadav assaulted Gayatri Kumari. Rajendra

Yadav (husband of the petitioner), Diga Yadav and Maliya Kumari have already been enlarged on anticipatory bail vide order passed in Cr. Misc. No. 32381/2015 and Cr. Misc. No. 31309/2015 respectively. The case of the petitioner stands on the same footing.

Learned Additional P.P. vehemently opposed the prayer for anticipatory bail, but at the same time could not be able to show that the case of the petitioner is different from the case of other accused persons who have already been granted anticipatory bail.

Considering the facts aforesaid, the petitioner above named in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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, Bhagalpur in connection with Pirpainty P.S. Case No. 04/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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