

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40888 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

1. Smt. Sita Devi W/o Ram Khelawan Prasad Resident of village Ugwan,
P.S. - Asthawa, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sucheta Yadav

For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-09-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Asthawa Police Station Case No. 07 of 2016,
disclosing offences under Section 304B/34 of the Indian
Penal Code.

The petitioner is the mother-in-law of the
deceased.

Learned Counsel for the petitioner has
submitted, referring to the First Information Report, that
there is specific allegation of demand of dowry against the
husband of the deceased and there is vague allegation of
such demand against this petitioner. It has been submitted
that considering the nature of accusation and the fact that

the petitioner is a lady, there is no chance that she would be influencing the witnesses or tampering with the evidence.

Considering the above submissions, this application is allowed.

Let the petitioner, Sita Devi, in the event of her arrest or surrender before the Court below within six weeks, be released 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 Chief Judicial Magistrate, Biharsharif, at Nalanda, in connection with Asthawa Police Station Case No. 07 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

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