

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54246 of 2015

Arising Out of PS.Case No. -140 Year- 2015 Thana -AURAI District- MUZAFFARPUR

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1. Seema Devi, Wife of Radhe Raman Rai, Resident of Village- Basant,
P.S.- Aurai, District- Muzaffarpur. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh

For the Opposite Party/s : Mr. M. Dayal,APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 01-03-2016 Heard Mr. Singh for the petitioner and Mr. M. Dayal, APP
for the State.

Petitioner is facing prosecution punishable under sections
302/34 of the Indian Penal Code and Section 3(2)(v) of the SC/ST
Act vide Aurai P.S. Case No. 140 of 2015.

In substance, the allegation is that the accused persons
named therein came to the residence with whom the husband of
the informant went away and the following day his dead body was
found deserted near the railway track. The informant further
alleged that about 10 days before, her husband had gone to the
shop for taking ration where scuffle had taken place in which the
accused persons (*sato aadmi*) had threatened him with dire
consequences.

Contention of the petitioner is that she is a lady. Even
reading the F.I.R. between the lines, it does not appear that in the

previous scuffle, the petitioner had any role to play. She is a lady having no criminal antecedent.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Jawed Alam, Judicial Magistrate, 1st Class, Muzaffarpur in Aurai P.S. Case No. 140 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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