

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36930 of 2016

Arising Out of PS.Case No. -202 Year- 2015 Thana -BACHWARA District- BEGUSARAI

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1. Suruchi Devi @ Suruchi Kumari W/o Prem Choudhary resident of
Village-Bachhawara P.S.- Bachhawara, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 14-09-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of
Bachhawara P.S. Case No. 202 of 2015, disclosing offences under
Sections 147,148,149,341,302,504 of the Indian Penal Code and
27 of the Arms Act.

The allegation in the First Information Report against
the named accused persons including the petitioner is that all of
them killed the husband of the informant when he was sleeping by
covering with force, the face of the deceased with cloth so that he
could not breathe.

Learned counsel for the petitioner has submitted that
on 01.06.2015, an FIR was lodged by the father-in-law of the

present petitioner alleging murder of his son, namely, Pankaj Choudhary registered as Bachhawara P.S. Case No. 108 of 2015, in which the informant's husband and other family members are also accused.

Learned counsel for the informant has submitted that the post mortem report supports the prosecution case inasmuch as, the cause of death of the deceased has been found to be asphyxia. He has submitted that there being specific allegation against the petitioner, she does not deserve the privilege of anticipatory bail.

Be that as it may, considering the fact that the petitioner is a lady and chance of false implication because of admitted enmity between the parties cannot be ruled out, this application is allowed.

Let petitioner above-named in the event of her arrest/surrender within four weeks from today in the Court below 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 the learned Chief Judicial Magistrate, Begusarai in Bachhawara P.S. Case No. 202 of 2015, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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