

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58289 of 2015

Arising Out of PS.Case No. -648 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
- 1. Bibi Siddika Wife of Md. Alauddin
 - 2. Md. Allauddin Son of Late Md. Ali, Resident of Mohalla - Mustafapur,
Police Station - Barari, District - Bhagalpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr. S.N Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Kotwali (Barari) P.S. Case No. 648 of 2015 (G.R. No. 3763 of
2015), disclosing offence under Section 304B of the Indian Penal
Code.

The petitioner no. 1 namely, Bibi Siddika is the mother-
in-law of the deceased.

Learned counsel for the petitioners submits that the
allegation as contained in the First Information Report is general
and omnibus against the family members of the husband of the
deceased. He further submits that the petitioner no. 1 being a lady,

there is no chance of tampering with the evidence by her.

Considering the facts and circumstances, particularly that the petitioner no. 1 is lady, this application is allowed.

So far as Petitioner No. 2 is concerned, his prayer for anticipatory bail is rejected.

Let the petitioner no. 1, above-named, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 648 of 2015 (G.R. No. 3763 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)

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