

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7758 of 2016

Arising Out of PS.Case No. -81 Year- 2013 Thana -SAHIYARA District- SITAMARHI

1. Gaytri Devi wife of Suresh Singh, Resident of village- Baghmari, P.S.-
Sahiyara, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate

For the Opposite Party/s : Mr. A.Haque Sahara(APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory arises out of
Sahiyara Police Station Case No. 81 of 2013, disclosing offences
under Sections 302/34 of the Indian Penal Code.

Petitioner is a lady. The maternal grandfather of the
deceased is the informant. It is alleged that the deceased was
suffering from *Polio* and she was used to be tortured by her father and
family members. The petitioner is the aunt of the father of the
deceased.

Learned senior Counsel appearing on behalf of the
petitioner has submitted that the police found the case to be mistake
of fact and submitted its report. The learned Chief Judicial Magistrate,
however, differing with the police report, has taken cognizance and,
therefore, the petitioner apprehends arrest.

The petitioner is a lady. Considering the allegation in the First Information Report in its entirety and the fact that she is a lady, this application is allowed.

Let the 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, Sitamarhi in Sahiyara P.S. Case No. 81 of 2013, 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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