

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21447 of 2015**

Arising Out of PS.Case No. -273 Year- 2011 Thana -SAKRA District- PATNA

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1. Jolly Kumari Wife of Lalit Mohan Tiwary Resident of Kalyani Cooperative, Beur, Police Station - Phulwari Sharif, District - Patna

.... .... Petitioner/s

Versus

1. The State of Bihar

2. Madhuri Pandey Wife of Sri Prabhu Nath Pandey resident of Mohalla - Kalyani Cooperative, Harnichak, P.S. Phulwari, District - Patna

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Suresh Pd. Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

5      13-01-2016                      Heard learned counsel for the petitioner and State as well as the informant.

This Court while disposing of Cr. Misc. No. 46435 of 2014 has passed an order that no coercive action will be taken against petitioner till the disposal of the case.

Learned counsel for the petitioner, Jolly Kumari, has drawn the attention of this Court that earlier the petitioner has moved this Court for anticipatory bail which was rejected and ultimately she moved before Hon'ble Supreme Court unsuccessfully, filed quashing application that was disposed of vide order dated 8.8.2013 in Cr. Misc. No.512 of 2013 on the submission of the fact that petitioner, namely, Madhuri Pandey would deposit Rs.3,50,000/- that would be kept by the Bank under TDR. Another case was filed by Madhuri Pandey vide Cr. Misc. No.46435 of 2014, there present

petitioner was not made party and the Court has disposed of the matter on the statement that she has deposited Rs.3,50,000/- and on that account the order was passed that no coercive action will be taken. As the petitioner has already moved before Hon'ble Supreme Court and Hon'ble Supreme Court has directed her to surrender before the trial court and it is the trial court who will pass the order in accordance with law. If the order dated 19.11.2014 will continue it will amount to granting of anticipatory bail to the petitioner which has already taken its finality before Hon'ble Supreme Court.

In such view of the matter, the order for not taking coercive action against the petitioner is withdrawn. However, liberty is given to Madhuri Pandey to approach the trial court for taking necessary step.

With the aforesaid observation this application is disposed of.

Vinay/-

**(Shivaji Pandey, J)**

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