

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 54816 of 2016

Arising Out of PS.Case No. -668 Year- 2016 Thana -BANKA District- BANKA

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Bibi Sahida, wife of Noor Mohammad, Resident of Village – Gouripur, P.S.
Barahat, District – Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-12-2016 Heard Sri Sanjay Kumar Jha, learned counsel for the
petitioner and Sri Nityanand, learned Addl. Public Prosecutor.

The petitioner, who is mother-in-law of the deceased,
has approached this Court with a prayer to grant of anticipatory
bail in Banka (Barahat) P.S. Case No. 668 of 2016 registered for
offence under Sections 341, 323, 307, 498(A), 304(B), 504/34 of
the Indian Penal Code.

It was submitted by Sri Jha, learned counsel for the
petitioner that petitioner, being old lady, is entitled to be extended
the privilege of anticipatory bail, particularly on the ground that in
the F.I.R., though it was alleged that petitioner was present at the
time of occurrence, there is no accusation regarding committing
any overt act. It has further been argued that during investigation,
witnesses have not supported the prosecution case, whereas,



learned Addl. Public Prosecutor, referring to F.I.R., submits that F.I.R. has been lodged on the basis of statement made by the victim herself, who subsequently died due to burn injury.

In view of the fact that petitioner is named as accused by none else than the victim, who subsequently died, there is no reason to extend the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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