

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3440 of 2016

Arising Out of PS.Case No. -342 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

Baso Devi wife of Raj Kumar Mandal, Resident of village- Habibpur, P.S.-
Shiv Narayanpur, District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shiwesh Chandra Mishra, Advocate.
For the Opposite Party : Mr. Jitendra Kr.Singh 1(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Kahalgaon (Shiv Narayanpur) P.S. Case No. 342/2015 registered for the offences punishable under Sections 363 and 366 of the Indian Penal Code.

The case diary was called for, which has been received.

Learned counsel for the petitioner submits that the case as filed by the informant is wholly concocted and is hardly improbable that she would be involved in disappearance of her daughter-in-law. It is further submitted that when her daughter disappeared from Bhatinda, where she had gone with her servant,

she made frantic effort to trace out her daughter-in-law who had disappeared along with one Chintu Pandit and Chhotu Pandit but since the police refused to take her case, she came back and then filed the present case bearing Annexure-2.

Learned counsel appearing on behalf of the state after perusal of the case diary submits that the petitioner's complicity in the crime cannot be ruled out and it is hardly probable that she had participated in the offence.

Considering the facts and circumstances and the material surfaced in the case diary, I am not inclined to enlarge the petitioner on anticipatory bail. If, however, the petitioner surrenders in the Court below within a period of six weeks, it shall be opened to the Court to consider the application for regular bail in accordance with law without being prejudiced by this order.

(Anjana Mishra, J.)

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