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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10230 of 2016

Arising Out of PS.Case No. -275 Year- 2014 Thana -PHULPARAS District- MADHUBANI

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1. Amola Devi W/o Prakash Chandra Jha, Resident of Village- Garatola, P.S.- Phulparas, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Soni Shrivastava
For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-03-2016 Heard learned counsels for the petitioner and the State.

The petitioner being mother of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 326 and 302/34 of the Indian Penal Code.

The prosecution case is that the daughter of the informant was caused burn injuries by her husband, father in law and mother in law on 5.10.2014 at 6.30 P.M. There was dispute with the family of the son in law of the informant for cutting banana tree when the neighbours caused burn injuries to the victim. The victim was taken to DMCH and thereafter PMCH where she died on

12.10.2014. The petitioner was not named in the FIR. Subsequently, during investigation the accusation was developed to the effect that there was demand of dowry and thereafter the daughter of the informant was killed.

It is submitted by the learned counsel for the petitioner that investigation has already concluded and chargesheet has been submitted under section 304B/34 IPC. Considering the contradiction between the initial accusation and subsequent material collected during investigation, the husband of the victim namely Deepak alias Raghav Kumar has been granted regular bail videe Cr. Misc. No. 40207 of 2015.

Considering the fact that the petitioner was not named in the FIR and there was no accusation under section 304B IPC coupled with the fact that the petitioner is a lady, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Jhanjharpur in connection with Phulparas P.S. Case No.275 of 2014 subject to the

conditions as laid down under Section 438(2) Cr.P.C.

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(Dinesh Kumar Singh, J)

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