

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13968 of 2016

Arising Out of PS.Case No. -910 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Pratima Devi wife of Ganesh Sah, resident of Mohalla- BEngaha, Ward No.4, P.S. & District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Manoj Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 18-05-2016 Heard learned counsel for the petitioner, and learned Additional Public Prosecutor appearing on behalf of the State as well as learned counsel appearing on behalf of Opposite party No.2.

This application for grant of anticipatory bail arises out of Saharsa (Sadar) P.S. Case No. 910 of 2015, disclosing offences under Sections 364/34 of the Indian Penal Code.

The petitioner is the step mother of the victim. It is alleged that the victim's father Ganesh Sah and the present petitioner conspired to kidnap her and killed her.

It is submitted on behalf of the petitioner that over and above suspicion, there is no material against the petitioner justifying her implication in the case. It has further been

submitted in any view of the matter; she cannot tamper with the evidence or influence the witnesses.

Learned Additional Public Prosecutor appearing on behalf of the State has not been able to point out any concrete material to establish petitioner's involvement in the offence.

Considering the above and the fact that the petitioner 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, Saharsa in Saharsa (Sadar) P.S. Case No. 910 of 2015, 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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