

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15317 of 2016

Arising Out of PS.Case No. -133 Year- 2016 Thana -SAHARSA District- SAHARSA

1. Shanti Devi W/o Late Binod Lal Das R/o Kayastha Tola Ward No. 23,
P.S. Saharsa, Dist. Saharsa. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the State : Mr. D.P. Tiwary (App)

For the informant: Sri Krishna Prasad Singh, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 25-04-2016

Heard Mr. Ajay Kumar Sharma, learned counsel for the petitioner, learned Additional Public Prosecutor for the State as well as Mr. Krishna Prasad Singh, learned Senior counsel for the informant.

The petitioner apprehends her arrest in a case under Section 376, 323, 504/34 of the Indian Penal Code.

The informant alleged that she came in contact with one Amrendra Kumar, son of the petitioner, in the year 2006 and since then Amrendra Kumar established physical relationship with her but in the year 2016 she came to know that Amrendra Kumar was to perform second marriage and when the informant protested, the petitioner, Amrendra Kumar and Jitendra Kumar assaulted her and drove her out from the house.

It is submitted that entire allegation is false and

concocted and the informant wanted to perform marriage with Amrendra Kumar but on refusal the present case has been lodged.

On the other hand, learned Additional Public Prosecutor and Mr. Krishna Prasad Singh, learned Senior counsel for the informant, vehemently opposed the prayer for anticipatory bail.

Considering the nature of allegations against the petitioner and the fact that informant herself stated that she was having physical relation with Amrendra Kumar, son of the petitioner, and there is no specific allegation against her, the above named petitioner, in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged 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 P.S. Case No. 133 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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