

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22033 of 2016

Arising Out of PS.Case No. -66 Year- 2005 Thana -BARAULI District- GOPALGANJ

Manorama Devi, wife of Shri Mithilesh Pathak, Resident of Village-Mogal
Biraicha, P.S.- Barauli, Dist-Goaplganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 17-05-2016 Heard learned counsel for the parties.

Way back in the year 2006 an application filed by the petitioner for grant of anticipatory bail was rejected. Despite such order having been passed, the petitioner did not surrender to seek regular bail.

Present application has been filed again seeking anticipatory bail on the ground that in the meanwhile, the husband of the deceased was tried and he has been acquitted by the judgment and order dated 01.04.2008 by the learned Additional Sessions Judge, F.T.C.V., Gopalganj passed in Sessions Trial No. 364/2006/322/2006.

The petitioner is the wife of the brother of the husband of the deceased. Considering the circumstances that the anticipatory bail application of the petitioner was rejected in the

year 2006, I am not inclined to entertain this application. This application is rejected at this stage itself.

Petitioner is directed to surrender before the Court below within four weeks from today, if so advised. If she does so, her application for grant of regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail .

Learned counsel for the petitioner has attempted to persuade this Court that the petitioner should be granted the privilege of anticipatory bail since she is a lady and in the trial, main accused has been acquitted. This ground can be considered by the Court below at the time of seeking regular bail.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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