

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.40975 of 2016**

Arising Out of PS.Case No. -62 Year- 2003 Thana -JHAJHA District- JAMUI

1. Parwati Devi wife of Mishri Yadav @ Mishri Pd. Yadav Resident of  
Village-Kanan, P.S.-Jhajha, District-Jamui

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**

**SHARAN SINGH**

**ORAL ORDER**

2 26-09-2016

Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This second application filed on behalf of the  
petitioner, for grant of anticipatory bail, arises out of Jhajha  
Police Station Case No. 62 of 2003, disclosing offences  
under Sections 406/323/307/328/379/302/34 of the Indian  
Penal Code.

Considering the fact that the petitioner had  
earlier approached this Court by filing an application for  
anticipatory bail, which came to be rejected way back in the  
year 2003, I am not inclined to grant her privilege of  
anticipatory bail.

Learned Counsel for the petitioner has  
submitted that all other accused persons have been

acquitted after they were put on trial and has submitted that since petitioner is the mother-in-law of the deceased and is an old lady, she should be granted the privilege of anticipatory bail.

I am not convinced with the submissions advanced on behalf of the petitioner for the simple reason that because of non-appearance of the petitioner, trial had to be held separately, in her absence only against those who had appeared before the trial Court.

This application for anticipatory bail, is hereby, rejected.

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

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-c

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