

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40107 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -MAHILA PS District- BUXAR

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Smt. Bhagamaniya Devi Wife of Late Sudarshan Yadav, resident of Village Govindapur, Buxar, P.S. (M) Buxar, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. K.M.Joseph, Adv.

For the Opposite Party/s : Mr. Sri Umeshnand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 20-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the widow mother of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 328, 504, 506 and 498A/34 of the Indian Penal Code.

The prosecution case as per the written report of the informant Neha Devi is to the effect that she got married with co-accused Guddu Yadav son of the petitioner in May, 2015 but thereafter, the torture was inflicted for non-fulfillment of further dowry demand of motorcycle. It is alleged that the accused persons used to assault the informant including the petitioner. It is further alleged that 15 days prior to lodging of the written report, some poisonous liquid was poured in the eye of the informant as a result visibility of the informant got substantially reduced.

It is submitted by the learned counsel for the petitioner that the accusation is omnibus and general against the entire in-laws family including the petitioner and thrust of accusation is against the husband of the informant. It is further submitted that other accused persons, with same accusations, have been granted anticipatory bail by learned ADJ-IV, Buxar vide ABP No. 634 of 2016. There is inordinate delay in lodging of the FIR as for the occurrence of 16.07.2016, the FIR was registered on 22.07.2016 and there is no medical report on record to corroborate the accusation particularly of assault or putting poisonous liquid in the eye of the informant.

Considering the delayed lodging of the case and the accusation being omnibus and general, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Buxar in connection with Buxar Women P.S. Case No. 48 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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