

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27943 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

1. Anamika Devi @ Anamika Sugandha W/o Shri Arjun Prasad Gupta R/o Village Suryagarha bazaar, Ps Suryagarha, district Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 07-01-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State. Learned counsel for the informant is also present.

The petitioner is apprehending hrt arrest in connection with Suryagarha P.S. Case No. 56 of 2015, registered for offences punishable under Sections 302 and 34 of the Indian Penal Code.

Diary in the present case was called for which has since been received.

Learned counsel for the petitioner submits that the petitioner is a lady and is having three months old baby.

Learned counsel appearing on behalf of the informant submits that though the petitioner is a lady, there is a specific allegation against her of having lit the kerosene which caused the

death of the deceased. He submits that in the case diary, it has come that two children have categorically stated that it was *chotti* aunty, who had lit their mother causing death.

Learned counsel appearing on behalf of the State after perusal of the entire case diary submits that save and except statement of these two children, there is no further material so as to implicate this petitioner.

To counter these arguments, learned counsel for the petitioner submits that earlier there has been an oral partition between the brothers in the family and the petitioner and her husband was residing separately and the entire version of the two children appears to be a tutored statement.

Be that as it may and without going into the merits of the case, this Court feels that in view of the fact that the petitioner is a lady having a three month old baby, no useful purpose will be served by sending her behind the bars. Considering the facts and circumstances of the case, let the petitioner above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai

in connection with Suryagarha P.S. Case No. 56 of 2015, subject
to the conditions as laid down under Section 438(2) of the Cr.P.C.



sunil/-

(Anjana Mishra, J)

U		T	
---	--	---	--