

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21549 of 2016

Arising Out of PS.Case No. -233 Year- 2015 Thana -PUNPUN District- PATNA

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Babita Devi, Wife of Shekhar Paswan, Resident of village- Fatehjungpur,
P.S. Didarganj, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 22-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the married sister of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 498A and 304B/34 of the Indian Penal Code.

The prosecution case is of killing the sister of the informant after one year of the marriage for non-fulfillment of the dowry demand.

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. The petitioner used to reside at her matrimonial house and thrust of accusation is against the husband of the victim.

Learned APP, after going through the case diary, submits that witnesses have suggested that the petitioner was not present at the place of occurrence on the alleged date of occurrence. The postmortem report does not reflect the cause of death and viscera has been preserved.

Considering the fact that accusation is not specific against the petitioner and during investigation, as submitted by learned APP, it was found that the petitioner was not present at the place of occurrence on the alleged date of occurrence, 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 J.M., 1st Class, Masaurhi in connection with Punpun P.S. Case No. 233 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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