

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15266 of 2017

Arising Out of PS.Case No. -134 Year- 2015 Thana -JOKIHAT District- ARRARIA

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Bibi Mustari, W/o-Gyas, Resident of Village- Masuriya, P.S. Mahalgaon,
District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jokihat
(Mahalgaon) P.S. Case No. 134 of 2015 instituted for the offence under
Sections 304(B) and 34 of the Indian Penal Code.

As per allegation, the daughter of the informant (since
deceased) was married with son of the petitioner, about two years
before the occurrence. She was tortured for money, motorcycle, buffalo
etc. in her Sasural and for non fulfillment of demand of dowry, she was
done to death.

It has been submitted on behalf of the petitioner that
informant has filed a petition before the court below on 2.6.2015
(Annexure-2) mentioning therein that his daughter was pregnant and
she had gone to take water in the tube-well where she slipped and
sustained injury and died. Petitioner is mother-in-law of the deceased.



It has further been submitted that she is old lady aged about 70 years.

From the written report it appears that there is general and omnibus allegation against the petitioner. She is a lady.

Considering the facts and circumstances of the case as also that petitioner being a lady, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Jokihat (Mahalgaon) P.S. Case No. 134 of 2015, she shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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