

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20208 of 2017

Arising Out of PS. Case No.-138 Year-2016 Thana- SAHIYARA District- Sitamarhi

Bharti Sinha @ Bharti Wife of Shri Rajesh Kumar Singh Resident of Village-
Bhikha Bishanpur(Harkesh), P.S. Sahiyara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat
For the State	:	Mr. SANJAY KUMAR

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 10-08-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Sahiyara Police Station Case No. 138 of 2016, disclosing offence under Sections 307/498A/341/323/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. The victim succumbed to the injuries after registration of the First Information Report and accordingly 304B of the Indian Penal Code has been added to the aforesaid provisions of the Indian Penal Code.

The petitioner's husband, Rajesh Singh, had approached this Court for grant of anticipatory bail by filing Criminal Misc. No. 10841 of 2017, which has been rejected by



an order, dated 07.04.2017, which has been brought to my notice by learned Counsel appearing on behalf of the informant.

Learned Counsel for the informant submits that since in similar circumstance, bail application of co-accused, Rajesh Singh, has been rejected, the petitioner also should not be allowed the privilege of anticipatory bail.

Learned Counsel appearing on behalf of the petitioner, on the other hand, has submitted that there is absolutely no allegation against this petitioner and whatever has been alleged are general and omnibus.

Despite the fact that co-accused, Rajesh Singh, has not been allowed the privilege of anticipatory bail, I am inclined to allow the said privilege to this petitioner, she being a lady.

Let the petitioner, Bharti Sinha @ Bharti, in the event of her arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate V, Sitamarhi, in connection with Sahiyara Police Station Case No. 138 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.



This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court below on two consecutive occasions, her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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