

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31373 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -MUFFASIL District- WEST CHAMPARAN
(BETTIAH)

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Manorama Devi, D/o Sri Bhola Sah, Resident of Mohalla- Najnin Chowk,
Bettiah, P.S.- Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Bettiah

Muffasil P.S. Case No. 85 of 2017 instituted for the offence under

Sections 376, 304, 314/34 of the Indian Penal Code and Section 6

of POCSO Act.

It has been submitted on behalf of the petitioner that

there is no allegation of any overt act against the petitioner of

committing illegal act or any negligence on account of which she

died.

From the written report it appears that death of the

deceased took place in her house.

In the written report it is alleged that one Pintoo

Kumar established physical relationship with the daughter of the



informant, on account of which, she became pregnant. Thereafter, she was taken to the Clinic of Dr. Saroj Jaiswal for treatment. From the clinic of Dr. Saroj Jaiswal she was referred by one Compounder to the clinic of this petitioner where the excessive bleeding took place and her condition was deteriorated and, ultimately, on 12.3.2017 she died in her house due to excessive bleeding.

From the written report, it appears that there is no mention of any date on which the abortion was done or condition of the daughter was deteriorated.

It is mentioned in the impugned order that petitioner has died in her house on account of excessive bleeding.

Considering the facts and circumstances of the case, 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 Bettiah Muffasil P.S. Case No. 85 of 2017, 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 1st Additional Sessions Judge-cum-Special Judge, West Champaran at Bettiah, 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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