

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45409 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -SARE District- NALANDA (BIHARSHARIFF)

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1. Minta Devi, W/o Hira Chaudhary, Resident of Village- Bareour, P.S.- Sare, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 10-11-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sare Police Station Case No. 71 of 2017, disclosing offences under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner happens to be mother-in-law of the deceased has falsely been implicated in this case due to suspicion. No specific allegation is leveled against the petitioner. According to the F.I.R., prior to the alleged occurrence, there was hot exchange of words between the deceased and co-accused Kamlesh Choudhary, who is said to be Devar of the deceased, regarding use of motorcycle. As a matter of fact, the husband of



deceased has not been named in the F.I.R. The petitioner has never demanded any dowry nor assaulted the deceased in any manner. Moreover, no cogent material has come against her during course of investigation. Hence, the lady petitioner, who is of clean antecedent, deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Sare Police Station Case No. 71 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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