

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38003 of 2017

Arising Out of PS.Case No. -227 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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1. Khusboo Devi @ Khushbu Devi Wife of Mohan Sah, Resident of
Village- Chhit Raghopur, Raghopur, P.S. Nath Nagar, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Nathnagar P.S. Case No.
227 of 2017 instituted for the offence under Sections-304(B) and 34 of
the Indian Penal Code.

It has been submitted that the petitioner is said to be Bhabhi
of the husband of the deceased. There is allegation in the written report
that the husband of the deceased had illicit relation with this petitioner,
which was opposed by daughter of the informant (since the deceased).
On the alleged date of occurrence, i.e. 01-06-2017, the informant got
information that his daughter is dead and when he reached at his
Sasural, he found his daughter lying dead and also found sign of rope
around the neck.

In this manner, there is no allegation of specific overt act
against this petitioner.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of her arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Nathnagar P.S. Case No. 227 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Bhagalpur subject to condition as laid down u/S 438(2) of the 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.

(Sanjay Priya, J)

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