

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43829 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -SIDHWALIA District- GOPALGANJ

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1. Awadhesh Giri son of Kalika Giri
2. Uma Devi wife of Awadhesh Giri Both resident of Village- Ladauli
Mathiya, P.S.- Sidhwaliya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 10-01-2017 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

At the very outset, it is pointed out that petitioner No.
1 namely, Awadhesh Giri has already been arrested and,
accordingly, the petition filed on behalf of petitioner No. 1 is
sought to be withdrawn.

So far as petitioner No. 2, who happens to be
mother-in-law of the deceased is concerned; she apprehends her
arrest in connection with Sidhwalia P.S. Case No. 40 of 2016
registered under Sections-304B/34 of the Indian Penal Code.

Learned counsel for the petitioner drew my attention
towards paragraph-16 of the case diary in which, the fardbyan of



the deceased was recorded and in the said fardbyan, she specifically, stated that she was caught in fire accidentally, while she was cooking meal.

Considering the aforesaid facts and circumstances prayer for anticipatory bail of petitioner No. 1 namely, Awadhesh Giri stands dismissed being infructuous and so far as petitioner No. 2 concerned; it is ordered that the petitioner No. 2 named above, in the event of her arrest or surrender in the court below within four 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 Sidhwalia P.S. Case No. 40 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Gopalganj subject to condition as laid down u/S 438(2) of the Code of Criminal Procedure Code.

(Hemant Kumar Srivastava, J)

A.K.V./-

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