

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38007 of 2017

Arising Out of PS.Case No. -130 Year- 2017 Thana -RAJAUN District- BANKA

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Bimla Devi Wife of Shukar Paswan, resident of village - Nima, P.S.
Rajoun, District - Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Smt.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 16-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in connection
with Rajoun P.S. Case No. 130 of 2017 registered for the
offence(s) punishable under section(s) 302 and 314 of the Indian
Penal Code.

The informant has alleged that on 30.4.2017 at about
8:00 P.M. some altercation took place between his daughter and
her sister-in-law. The daughter of the informant was brutally
assaulted by her sister-in-law, as a result of which she lost her
consciousness and in course of treatment she died.

It has been submitted that there is no eye-witness to
alleged assault. The informant has not disclosed as to how he got



information about the alleged occurrence. Learned counsel for the petitioner referred Annexure-2 to this application, which is *Post Mortem* Report, to show that the Doctor has not reported any external injury on the person of the deceased.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

On perusal of the FIR and annexures on record, I find that the informant was at Delhi and after getting information about the death he came back along with his son-in-law. In *post mortem* report the Doctor has not reported any external injury on the person of the deceased. The viscera has been preserved and sent for Forensic Test. The deceased was pregnant and she was admitted in hospital and after treatment of three days she died.

Considering the facts and circumstances of the case, as stated above, this application for anticipatory bail is allowed.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on her furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 130 of 2017, subject to the condition as laid down under Section 438 (2) of the



Criminal Procedure Code.

(Sanjay Kumar, J)

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