

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39858 of 2017

Arising Out of PS.Case No. -246 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Asha Devi Wife of Sita Ram Sah, Resident of Village-Kharhara, Police
Station-Kargahar (Sidhi), District-Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and the State.

Petitioner is apprehending arrest in connection with
Kargahar (Sidhi) P.S. Case No. 246 of 2015 for an offence under
sections 306/201/34 of the Indian Penal Code.

Mr. Yogesh Chandra Verma, Sr. Advocate appearing
on behalf of the petitioner submits that this petitioner has clean
antecedent and the allegation in the instant case has been levelled
about alleged torture which led commission of suicide by the
victim. He submits that in the instant case husband of the
petitioner/father of the deceased-victim has been granted
anticipatory bail in Cr. Misc. No. 28930 of 2017 vide order dated
1.7.2017 and in the aforesaid circumstances, the petitioner, who is
a lady is entitled to the similar treatment like the husband of the



petitioner namely, Sita Ram Sah. He submits that in fact this is an accidental death due to the reason that the victim caught naked electric wire which caused her death and in such accidental death, the petitioner cannot be fastened with the criminal accountability.

Considering the fact that the husband of the petitioner of this case was granted anticipatory bail by this court in Cr. Misc. No. 28930 of 2017 vide order dated 1.7.2017, the court is inclined to grant anticipatory bail to the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas in connection with Kargahar (Sidhi) P.S. Case No. 246 of 2015 subject to the condition as laid down under section 438(2) of the Cr.P.C. with further condition that the petitioner will cooperate in the investigation and will not, in any manner, influence the evidence or the witnesses.

(Anil Kumar Upadhyay, J)

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