

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63896 of 2018

Arising Out of PS. Case No.-97 Year-2015 Thana- MANIYARI

District- Muzaffarpur

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Lal Bibi, Wife of Md. Ishlam, Resident of Village- Purushatampur
PS- Maniyari, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-12-2018 The petitioner seeks bail in anticipation of her arrest in connection with Maniyari P.S. Case No. 97 of 2015 dated 01.05.2015 which was initially instituted for the offences under Sections 307, 326, 498(A)/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act but later Sections 302 and 304(B) of the Indian Penal Code were also added.

From the records of the case, it appears that other accused persons are facing trial in Sessions Trial No. 248 of 2017. This very fact indicates that the petitioner has not surrendered to the process of law and is still roaming at



large.

I am not inclined to grant anticipatory bail to the petitioner merely on this ground.

However, learned counsel for the petitioner has submitted that during trial, most of the witnesses have denied that any such occurrence as alleged in the F.I.R had taken place.

If that be so, on the petitioner surrendering before the Court below within a period of four weeks from today, such ground shall be taken by the Court below for disposing off the bail petition of the petitioner.

The petition is dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

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