

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34150 of 2018

Arising Out of PS.Case No. -130 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Shila Devi W/o Jagat Paswan, R/o vill.- Mustafapur, Bairiyagachhi, P.S.-
Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends her arrest in Bibhutipur
P.S. Case No. 130/2017, instituted for the offence punishable
under Section 304(B)/34 of the Indian Penal Code.

The petitioner is mother-in-law of the deceased.

In the written report, it is alleged that the informant
went to the *Sasural* of his daughter, namely, Moni Kumari after
talking with her and saw her room was locked. The petitioner
opened the lock and when informant went inside the room, he
found his daughter in unconscious condition. The informant with
the help of his son took her to clinic of Dr. Ashutosh on
motorcycle. It is further alleged that when the daughter of



informant regained sense, she disclosed that she was subjected to physical torture for demand of Rs. 50,000/- and on 29.05.2017, this petitioner along with five other accused persons named in the written report put down the daughter of informant and her husband forcibly put sulphas tablet with water in her mouth. The daughter of informant died during course of treatment.

In this manner, in the written report there is specific allegation of administering suplhlas tablet against husband of the deceased.

Case diary has been received in this case. The witnesses in different paragraphs of case diary have not levelled specific allegation against this petitioner.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bibhutipur P.S. Case No. 130/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV, Rosera, Samastipur, subject to the conditions as laid down under Section 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 tamper 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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