

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2387 of 2018

Arising Out of PS.Case No. -410 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Dr. Akanksha Priya, wife of Rakesh Kumar, resident of Mohalla-
Chandmari Akouna, P.S. Motihari Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 27-02-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

The petitioner is apprehending arrest in connection with
Motihari Town P.S. Case No. 410 of 2017 instituted for offence under
Sections-304, 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in order to
make out a non-bailable offence, this case was registered u/S 304 of
the Indian Penal Code although looking into allegation of the case, the
offence u/S 304A of the Indian Penal Code is attracted which is
bailable one.

Learned counsel for the State submits that Section-304 of
the Indian Penal Code is levelled in the present case and as such,
considering the specific allegation, the petitioner does not deserve



anticipatory bail.

On perusal of the fardbyan, it appears that it is a case under Section-304A of the Indian Penal Code and not under Section-304 of the Indian Penal Code.

Considering the above, this court is inclined to grant anticipatory bail to the petitioner. Let the petitioner above named in the event of arrest or surrender in the court below within a month from today, 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 to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Motihari Town P.S. Case No. 410 of 2017 subject to condition as laid down u/S 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

A.K.V./-

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