

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36269 of 2018

Arising Out of PS.Case No. -148 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

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1. Krishnawati Devi wife of Madan Sharma resident of village -
Harakhuwa, Nawka Tola, P.S. - Gopalganj Town, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Adv.

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner, being the mother-in-law, is
apprehending her arrest in connection with Gopalganj Town P.S.
Case No. 148 of 2016 registered for the offence under Section
304(B), 34 of the Indian Penal Code.

Earlier the case of the petitioner, mother-in-law along
with two others was rejected by this Court on 20.10.2016 vide
order passed in Cr. Misc. No. 27595 of 2016.

Learned counsel for the petitioner submits that
subsequent to earlier order of rejection, the petitioner is pressing
the present anticipatory bail application in view of the change
circumstances. It is also submitted that two of the accused persons



have since been acquitted of the charge and the informant in her deposition before the Court has stated that she has filed the case in some mistaken belief.

Considering the entire facts and circumstances of the case and in view of the fact that two of the accused persons, namely, Guddu Shamra and Madan Sharma, whose bail was also rejected, simultaneously, have now been acquitted of the charge, let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town Police Station Case No. 148 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is, however, made clear that the petitioner shall present herself before the court below as and when required so that the trial is not prejudiced in any manner.

(Anjana Mishra, J)

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