

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33884 of 2018

Arising Out of PS. Case No.-146 Year-2016 Thana- SAHIYARA District- Sitamarhi

Rita Devi @ Anita Devi, W/o Mauje Paswan, R/o Vill.- Dayan Chapra, P.S.-
Sahiyara, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar
For the Opposite Party/s : Mr. Sri Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends her arrest in Sahiyara P.S. case no.
146 of 2016 instituted for the offence under Section(s) 302/34
of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is lady. She has clean antecedents.

In the written report, it is alleged that this petitioner
pushed the wife of the informant on the ground. Thereafter
Mauje Paswan and Balkeshiya Devi arrived and all three
assaulted the wife of the informant with fists and slaps. The
informant has stated that on 21.11.2016 in the evening his
wife told him about the incident. It is further alleged that on
23.11.2016 the wife of the informant all of sudden became ill



and she was taken to hospital in serious condition. But in way of hospital she died.

Learned counsel for the petitioner has submitted that in the postmortem report there is no any internal or external injury found on the person of the deceased. The doctor has opined the cause of death due to sudden cardiac arrest.

Case diary has been received wherein the postmortem report of the deceased is available.

Learned APP after looking into the postmortem report submits that the doctor has opined the cause of death due to sudden cardiac arrest.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Sahiyara P.S. case no. 146 of 2016, she 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 CJM, Sitamarhi, subject to the conditions as laid down under Section 438(2) 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 tampers 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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