

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2798 of 2018

Arising Out of PS.Case No. -142 Year- 2017 Thana -SALKHUA District- SAHARSA

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1. Manjula Devi @ Manju Devi, Wife of Late Kailash Mehta Resident of Village-Paharpur Police Station Saurbazar O.P.-Patarghat District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. C. Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending her arrest in a case instituted under Sections 341, 324, 307, 504, 506, 498(A)/34 of the Indian Penal Code and 34 of D.P. Act.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a lady. The specific allegation of assault is against co-



accused Laddu Mehta. The alleged occurrence is said to have been taken place due to petty family dispute. The petitioner is separate in mess and property from the husband of the victim. The F.I.R. has been instituted after 16 days of the alleged occurrence. The delay has not been explained by the prosecution. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Salkhua P.S. Case No.142 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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