

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25518 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -SHEOHAR
District- SHEOHAR

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Sudama Devi, Wife of Ram Bhajan Mahto, resident of
Village- Hirauta, Police Station- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-05-2018 The petitioner seeks bail in anticipation of her arrest
in connection with Sheohar P.S. Case No. 08 of 2017 dated
14.01.2017 instituted for the offences under Sections 302,
120(B)/34 of the Indian Penal Code.

The sister-in-law of the informant was pregnant with
a foetus of sixteen weeks. She had complained of stomach
pain and it was advised that she get her womb cleaned of
her foetus. The petitioner, who is an Asha worker is said to
have, in association with two others, impressed upon the
informant to get his sister-in-law treated at Mishra Clinic.
The sister-in-law of the informant was treated in Mishra



Clinic and was discharged. However, her condition did not improve and she had again to be admitted in a hospital at Muzaffarpur. In the course of further treatment, the sister-in-law of the informant died on 20.11.2016.

The learned counsel for the petitioner has submitted that finding no allegation against the petitioner to be true, the police did not send her up for facing trial. However, the learned Court below, differing with the police report took cognizance against the petitioner as well under Sections 304, 420, 467, 468, 120(B)/34 of the Indian Penal Code. The learned counsel for the petitioner has further submitted that the petitioner was not present on that day as the aforesaid date was being celebrated as *Asha Diwas* in which the petitioner had gone to the headquarters for participating in the function. It has also been submitted that one of the similarly situated co-accused persons viz. Kuniya Devi has been granted anticipatory bail by the learned Court below.

Considering the fact that in the police investigation, no material could be collected against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Sheohar in connection with Sheohar P.S.
Case No. 08 of 2017.

(Ashutosh Kumar, J)

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