

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28095 of 2018

Arising Out of PS. Case No.-163 Year-2016 Thana- CHOUTARWA District- West
Champaran

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Sona Devi, wife of Shri Prabhu Sah @ Prabhu Nath Gupta, resident of Village
Purbi Lagunaha, P.S. Chautarwa, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti, Advocate.

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Chautarwa (Bathwaria) P.S. Case No. 163 of 2016
registered under Sections 304(B) and 201/34 of the Indian Penal
Code, pending in the court of Additional Chief Judicial
Magistrate, Bagha, West Champaran.

Admittedly, the prayer of pre-arrest bail of the
petitioner, who is mother-in-law of the deceased, was earlier
rejected vide order dated 16.01.2018 passed in Criminal
Miscellaneous No. 3073 of 2018 by a coordinate Bench of this
court with direction to the petitioner to surrender and pray for
regular bail, which shall be considered on its merit unprejudiced



by the present order.

Learned counsel for the petitioner submits that, in fact, petitioner is the mother-in-law of the deceased and husband of the deceased has been acquitted by facing trial in Sessions Trial No. 279 of 2017 by the court of Ist Additional Sessions Judge, Bagaha, West Champaran, vide Judgment dated 29.08.2017. Further submission is that brother-in-law and maternal grandmother of the deceased have already been allowed privilege of pre-arrest bail by this court vide order dated 18.12.2017 passed in Criminal Misc. No. 57705 of 2017.

Since the prayer for pre-arrest bail of the petitioner was earlier refused on 16.01.2018 passed in Criminal Misc. No. 3073 of 2018, I am not inclined to grant him pre-arrest bail. Accordingly, his prayer for pre-arrest bail stands rejected. However, petitioner is directed to surrender before the trial court within six weeks and seek regular bail, which shall be considered without being prejudice of this order.

(Rajendra Kumar Mishra, J)

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