

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44832 of 2018

Arising Out of PS. Case No.-54 Year-2017 Thana- GOPALPUR District- West Champaran

Suman Devi W/o Harendra Das, R/o Village- Dukhichhapar, P.S.- Gopalpur,
District- West Champaran. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. S.R.P. Buxi Sinha, Sr. Advocate
Mr. Zainul Abedin, Advocate

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-07-2018 Heard Mr. S.R.P. Buxi Sinha, learned Senior Counsel
representing the petitioner. No one appears for the State.

Earlier the prayer of the petitioner for grant of bail was rejected by this Court vide order dated 10.08.2017 passed in Cr. Misc. No. 36304 of 2017. It appears that against the said order the petitioner had moved to the Hon'ble Supreme Court but vide order dated 07.11.2017 the petitioner was permitted to withdraw the Special Leave Petition with liberty to renew her prayer at a later stage.

Learned Senior Counsel representing the petitioner submits that on the identical allegations, one of the co-accused namely, Sarswati Devi who happens to be the mother-in-law of the deceased has been granted privilege of anticipatory bail vide order dated 06.12.2017. This being the development, learned Senior Counsel submits that the petitioner is already in custody



for about one year and three months by now and therefore, her case may now be considered for grant of regular bail.

Regard being had to the facts and circumstances of the case wherein this Court finds that on identical allegations one of the co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court, this Court would direct release of the petitioner on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah in connection with with Gopalpur P. S. Case No. 54 of 2017 subject to the condition that she will attend the Trial Court as and when date fixed in the matter and two consecutive default in appearing before the Trial Court without assigning any reason will entail cancellation of her bail bonds.

(Rajeev Ranjan Prasad, J)

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