

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2148 of 2019

Arising Out of PS. Case No.-69 Year-2018 Thana- MAHILA PS District- Darbhanga

Umiya Devi @ Kumiya Devi Sajjan Sahni Resident of Village- Mahlauli, P.S.
- Bishanpur,

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Lalan Kumar (App224)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-01-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Darbhanga Mahila P.S. Case No. 69 of 2018 for the offence under Sections 498(A), 323, 504, 494, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is the mother-in-law of the informant. It is alleged in the First Information Report that the informant's husband died in 2009 itself, whereafter the younger brother of her husband forcibly made physical relation with her and assured that he would be marrying her.

Learned counsel for the petitioner has submitted that no offence under Section 498(A) of the Indian Penal Code can be said to be made out against this petitioner and lodging of the case is apparently for ulterior reasons.



Considering the facts and circumstances and the nature of accusation, this application is allowed.

Let the petitioner above named, in the event of her arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Darbhanga in Darbhanga Mahila P.S. Case No. 69 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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