

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11934 of 2019

Arising Out of PS. Case No.-422 Year-2018 Thana- HARNAUT District- Nalanda

Sarbila Devi, Female, aged about 23 years, Wife of Shiv Shankar Chaudhary
Resident of Village - Niyatpur, P.S.- Harnaut, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 05-03-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection
with Harnaut P.S. Case No. 422 of 2018 dated 09.12.2018
registered for the offences punishable under Section 302/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated as it is alleged that the
petitioner had solemnized marriage with the husband of the
deceased. It is submitted that the petitioner has four little
children.

On the other hand, learned APP for the State submits
that petitioner is directly involved in the alleged occurrence.
This petitioner who had solemnized a marriage with the



husband of the deceased despite the fact that the deceased was alive and was a lawfully married wife. It is further pointed out that this petitioner has got criminal antecedent, inasmuch as, she is accused in Harnaut P.S. Case No.105 of 2017 under Sections 498A/323/504/494 of the Indian Penal Code. It is submitted that the said Harnaut case was lodged by the deceased against the petitioner and others.

In the given facts and circumstance of the case, where it appears that it is the submission of the State that this petitioner had played an active role in the alleged occurrence as she had married the husband of the deceased despite the fact that the deceased was alive and for that the deceased had lodged a criminal case also, I am not inclined to grant anticipatory bail to the petitioner.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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