

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13695 of 2019**

Arising Out of PS. Case No.-358 Year-2018 Thana- ISLAMPUR District- Nalanda

Seema Devi, D/O Krishna Prasad Resident of Village- Patel Nagar Badhai
Tola, P.S.- Islampur, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Nayan

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 03-05-2019 Vide order dated 29.04.2019 passed in Cr. Misc.
No.13695 of 2019, anticipatory bail was granted to the
petitioner but due to technical glitches, the order has wrongly
been typed as let the matter be sent to the Patna High Court
Mediation Center and the parties are directed to appear before
the learned Mediator. Hence, the order dated 29.04.2019
passed in this case is hereby modified to the following effect:

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 307, 323
& 341/34 of the Indian Penal Code and later on 302 IPC was
added.



Petitioner is said to be the wife of the deceased. She was living in her maternal house and pursuing her study. The deceased had gone to her maternal house to perform her 'bidai' but she was reluctant to go to her marital house, whereupon the petitioner and her family members assaulted him on his head by means of heavy substance and in order to give the colour of the accident got him admitted in the hospital wherein he succumbed to injury during the course of treatment.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. Petitioner happens to be wife of the deceased. The deceased was in drunken state and *suo motu* fell down from the roof of her maternal house. He was rushed to the Ford Hospital, Patna and accorded better treatment meeting huge expenses by the petitioner and her family members. The offence is of 16.10.2018 but the F.I.R. has been lodged after inordinate delay of four days without assigning any explanation for the same. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner happens to be lady and has no criminal antecedent.

Having regard to the facts and circumstances of



the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa in connection with Islampur P.S. Case No.358 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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