

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43243 of 2019**

Arising Out of PS. Case No.-136 Year-2018 Thana- TURKAULIYA District- East
Champaran

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AFRIDA KHATOON W/O Sheikh Kasim Resident of Village- Janerwa Bajar
Tola, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey

For the Opposite Party/s : Mr.Kanhaiya Kishore (App 100)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 27-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Turkauliya (Banjaria) P.S. Case No. 136 of 2018, disclosing the
offence under Sections 302/34 of the Indian Penal Code.

The petitioner is wife of brother of the husband of the
deceased. The deceased was married nearly 15 years before the
occurrence, as has been stated in the FIR itself. There is general
allegation of demand of dowry and torture therefor. The
implication is apparently based on suspicion. Under the orders
of this Court, case diary and viscera report were called for,
which are available.

On perusal of the viscera report, I notice that there is
no finding of any poisoning. Other family members of the



husband of the deceased have been allowed bail by this Court by order dated 22.04.2019, passed in Cr. Misc. No. 49835 of 2018.

Considering the above, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in Turkauliya (Banjaria) P.S. Case No. 136 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Chakradhari Sharan Singh, J)

Rajesh/-

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