

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46077 of 2019

Arising Out of PS. Case No.-93 Year-2003 Thana- PALIGANJ District- Patna

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BIPATI DEVI @ BIPATI, Wife of Late Bhagwat Yadav, Resident of Village -
Kodra Tola, Daulatbigha, P.S.- Paliganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 16-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Paliganj P.S. Case No. 93 of 2003, disclosing the offences
under Sections 498A and 304(B/34 of the Indian Penal Code.

The petitioner is mother-in-law of the deceased. The
First Information Report was registered in 2003 and it appears
that it took more than 15 years for the prosecution to file charge
sheet. Based on the charge sheet submitted by the Police,
summonses have been issued by the court below by an order
dated 04.01.2019. The husband of the deceased is in custody.

Learned counsel appearing on behalf of the petitioner
has submitted that since the investigation is complete now, no
purpose would be served if the petitioner is taken into custody.



He has also submitted that the petitioner has been implicated only, because she is mother-in-law of the deceased.

Be that as it may, considering the facts and circumstances as noted above and the fact that summonses have been issued in 2019, 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 bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned Sub Divisional Judicial Magistrate, Danapur**, in connection with **Paliganj P.S. Case No. 93 of 2003**, 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 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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