

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49329 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- BAUSI District- Purnia

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FARIDA KHATOON Wife of Late Noor Alam, D/o Md Islam Ansari
Resident of Village - Puranaganj, P.S.- Baisi, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Mallick

For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Baisi P.S. Case No. 91 of 2019, disclosing the offence under Sections 306/34 of the Indian Penal Code.

Petitioner is the daughter-in-law of the informant. Allegedly, the petitioner's husband, who was the son of the informant, committed suicide because of the mental torture meted out to him by his wife as well as the family members of his wife.

Learned counsel appearing on behalf of the petitioner has submitted that she has been maliciously implicated in a false case and no offence under Section 306 of the IPC can be made out on the basis of what has been alleged in the FIR in the



absence of any specific allegation of abetment to suicide.

I find substance in the submission so advanced on behalf of the petitioner. 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, Purnia in Baisi P.S. Case No. 91 of 2019, 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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