

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49570 of 2019**

Arising Out of PS. Case No.-167 Year-2018 Thana- MAHARAJGANJ
District- Siwan

=====

LILAWATI DEVI Wife of Birendra Sah Resident of Village - Gaur Uttar Tola,
P.S.- Maharajganj, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Manish Chandra Gandhi, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 304(B)/34 of the Indian Penal Code registered in connection with Maharajganj P.S. Case No. 167 of 2018.

3. It is submitted that the petitioner has been falsely implicated as the deceased committed suicide. The accusations are general and omnibus and no specific overt act has been alleged against the petitioner. The petitioner was living separately from the deceased and her husband and had no concern with day to day matters. Similarly situated co-accused Ajeet Sah, husband of the petitioner has been granted bail by this Court in Cr. Misc. No. 17106 of 2019 and so also the *nanad* and *nandos* of the deceased have also been granted anticipatory bail by this Court in Cr. Misc. No. 32545 of 2019. The petitioner is a lady claiming clean antecedents.

4. Be that as it may, in the event of the petitioner's



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 167 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

lbrar//-

U		T	
---	--	---	--

