

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53840 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- DUMARIAGHAT District- East
Champaran

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MAHANGI KUAR W/o Late Sukhari Sahani @ Sukhadi Sahni R/o village-
Puraina, P.S.- Dumariya Ghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-08-2019 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), 201,34 of the Indian Penal Code registered in
connection with Dumariya Ghat P.S. Case No. 66 of 2019.

3. It is submitted that the petitioner has been falsely implicated
merely because she happens to be the mother-in-law of the deceased.
It is submitted that there is no eye-witness to the alleged occurrence.
No specific overt act has been attributed to the petitioner rather the
deceased died after being beaten by her husband and the entire
occurrence has resulted from matrimonial dispute between the
deceased and her husband. Similarly situated co-accused, who are the
nanad and nandosi of the deceased have been granted anticipatory bail
by this Court in Cr. Misc. No. 51028 of 2019. The petitioner claims
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



ACJM-I, East Champaran at Motihari, in connection with Dumariya Ghat P.S. Case No. 66 of 2019 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 co-operate 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. The petitioner shall be well represented in Court on each and every date during trial 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)

Chandran/-

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