

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72954 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- KHAIRA District- Jamui

Subhasha Devi Wife of Piyush Singh Resident of Village-Chauhandih,P.S.
Khaira,Distt.-Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Pd. Keshri
For the Opposite Party/s : Mr.Md. Arif

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 21-01-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Khaira P.S. Case NO. 104 of 2018, disclosing offences under Sections 302/34 of the Indian Penal Code.

From the First Information Report it can be noticed that the petitioner has been implicated on the basis of suspicion as allegedly the deceased was having illicit relationship with her. There is no specific allegation of any overt act against this petitioner in the First Information Report. Case diary has been received and viscera report is yet to come. Nothing could be shown from the First Information Report which can be said to be a tangible basis for valid implication of this petitioner.

This application is, accordingly, allowed as so far no



material has been collected in course of investigation. A case of exceptional circumstance is made out for grant of anticipatory bail despite the offence alleged against the petitioner is punishable under Section 302 of the Indian Penal Code.

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 bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in Khaira P.S. Case No. 104 of 2018 (G.R. No. 762 of 2018), subject to the conditions 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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