

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71602 of 2019**

Arising Out of PS. Case No.-144 Year-2015 Thana- GARKHA District- Saran

Manati Devi, Wife of Narayan Mahto Resident of Village - Ferusa, P.S.-  
Garkha, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nawal Kishore Singh  
For the Opposite Party/s : Mr.Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      26-11-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

Petitioner apprehends her arrest in connection with  
S.Tr. No.573 of 2015 arising out of Garkha P.S. Case No.144 of  
2015, for the offence punishable under Section 302/34 of the  
Indian Penal Code.

The allegation against the petitioner is that the  
petitioner along with other accused persons assaulted the son of  
the informant, leading to his death.

Learned counsel appearing for the petitioner submits  
that altogether six persons were made accused in this case and  
after investigation police submitted charge-sheet against only  
two persons, namely, Niraj Mahto and Bhardul Mahto and  
submitted final form against the accused persons including the



petitioner not sending her for trial. Learned counsel further submits that learned Magistrate took cognizance against two charge-sheeted persons only and trial proceeded against them bearing Sessions Trial No.573 of 2015. Learned counsel further submits that during the course of trial, learned Sessions Judge has summoned the petitioner under Section 319 of the Cr.P.C. for facing the trial by her also. Learned counsel further submits that the petitioner apprehends arrest at the time of surrender pursuant to the summon issued by the learned trial Court.

Having regard to the submissions made by the parties and the fact that police after investigation submitted final form against the petitioner and the learned Magistrate did not differ with the final form and has only taken cognizance against the two charge-sheeted persons, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of fifteen days from today and in the event of surrender by her, she shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Jnd Addl. Sessions Judge, Saran at Chapra, in connection with



S.Tr. No.573 of 2015, arising out of Garkha P.S. Case No.144 of  
2015, subject to the condition as mentioned under Section 438  
(2) of Cr.P.C.

**(Anil Kumar Sinha, J)**

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