

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7264 of 2020

Arising Out of PS. Case No.-705 Year-2018 Thana- SAUR BAZAR District- Saharsa

ARCHANA DEVI W/o Late Ganga Prasad Yadav R/o village- Salkhua, P.S.-
Sour Bazar, District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi, Advocate
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-07-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner apprehends arrest in Sour Bazar (Patraghat O.P) PS Case No. 705 of 2018 registered under Sections 302 and 304(B) of the IPC.

The informant has alleged that his daughter has been electrocuted to death by her husband and the instant petitioner, who is mother-in-law.

Learned Counsel for the petitioner submits that the petitioner's implication is only because she is mother-in-law. There is no eye witness of the occurrence and the police has found no electric connection in the house of the petitioner. Petitioner's son (husband of



the deceased) is already in custody. The petitioner is an elderly lady aged about 65 years. There is no specific role attributed to the petitioner in the death of the victim.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, 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 CJM Saharsa in Sour Bazar (Patraghat O.P.) PS Case No. 705 of 2018 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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