

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12322 of 2020

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1. Radhiya Devi wife of Shiv Nandan Yadav.
 2. Sahdev Yadav son of Shiv Nandan Yadav both are resident of village Harahi P.S. Bandwar District Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shardanand Mishra, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 8-09-2020 Heard learned counsel for the petitioner and learned counsel for the State through video conferencing.

It is submitted by learned counsel for the petitioner that the petitioner no. 2 has surrendered in the Court below in connection with the instant case and as such he seeks permission to withdraw this application so far as petitioner no. 2 is concerned.

In view of the above, the application, so far as petitioner no. 2 is concerned, is dismissed as withdrawn.

The petitioner no. 1 has filed the instant application for grant of anticipatory bail apprehending her arrest in connection with Bhadwar P.S. Case no. 15 of 2019 registered under sections 302, 147, 148, 149 and 120B of the Indian Penal



Code.

As per allegation in the FIR, the eleven named accused persons forcibly took away the father of the informant. It is stated that the next morning his dead body was found in the field. It is further stated that the petitioner herein and co-accused Nanki Devi had threatened the informant's father to kill him.

It is submitted by learned counsel for the petitioner no. 1 that the allegations as levelled in the FIR are false and concocted. No threat as alleged has been given by the petitioner herein. It is further submitted that from the contents of the FIR itself, the petitioner no. 1 is not amongst the 11 persons who are alleged to have taken the father of the informant. The petitioner no. 1 is a 70 year old lady having no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner no. 1 on anticipatory bail. The petitioner no. 1 is directed to surrender in the Court below within a period of eight weeks from today and in the event of her arrest or surrender in connection with Bhadwar P.S. Case no. 15 of 2019, she will be enlarged on bail



on furnishing bail bond of Rs. 10,000/ (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned In-charge Judicial Magistrate, 1st Class, Sherghati, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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