

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12283 of 2020

Arising Out of PS. Case No.-6 Year-2019 Thana- AKILPUR District- Saran

MALTI DEVI Wife of Bhikhari Sah Resident of Village - Akilpur, P.S.-
Akilpur, Distt - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Singh, Adv.

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-07-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending her arrest in connection with Akilpur P.S. Case No. 06 of 2019, registered under sections 302, 201 and 120B of the Indian Penal Code.

As per allegation in the FIR, the informant Chowkidar states that he received information about the dead body of a lady lying in the agricultural field. On going near the place of occurrence, he found the dead body. A number of local villagers gathered there. It is stated that it transpired that the dead body was of 16 year old Neha Kumari, who had been strangled to death by her family members and with intention to destroy the evidence, the body was being taken for cremation but on hulla



being raised, the same was thrown in the agricultural field and the accused persons escaped.

It is submitted by learned counsel for the petitioner that the sole petitioner happens to be the mother of the deceased. It is further submitted that her husband, father of the deceased has been enlarged on anticipatory bail vide order dated 1.10.2019 (Annexure-2) passed in Cr. Misc. No. 47566 of 2019. It is further submitted that from perusal of the said order it would transpire that the Hon'ble Court while granting bail to the co-accused, had gone through the case diary and the learned counsel appearing for the State could not point out any material collected in course of investigation which could be said to constitute commission of an offence under section 302 of the Indian Penal Code.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case especially grant of anticipatory bail to the father of the deceased, the Court is inclined to enlarge the petitioner on bail. The petitioner 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 Akilpur P.S. Case no. 06 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 A.C.J.M. 14th, Chapra at Saran subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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