

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 30067 of 2020**

Arising Out of PS. Case No.-152 Year-2019 Thana- DURAULI District- Siwan

KITABAN NESHA Wife of Subhan Ansari Resident of Village- Repura, P.S.-
Darauli, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Ms Gulnar Begum, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **23-12-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

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

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner apprehends arrest in connection with Darauli Police Station (for brevity, PS) Case No 152 of 2019 dated 20.09.2019 instituted for the offence punishable under Sections 304B, 120B of Indian Penal Code.



The allegation is that the informant's daughter has been set ablaze for non-fulfillment of demand of dowry.

Petitioner's counsel submits that general and omnibus allegation has been made against all the accused persons including the petitioner (mother-in-law). The victim and her husband had no concern with the petitioner. The other co-accused persons against whom similar allegations have been levelled, i.e., Sabir Ansari and Guliya Khatoon, have been allowed anticipatory bail by this Court in Cr Misc No 87395 of 2019. It is submitted that husband of the victim is already in custody. It is further submitted that no process under Sections 82, 83 of Criminal Procedure Code has been initiated against the petitioner.

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

In the facts and circumstances of the case, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, she shall be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate III, Siwan



in Darauli PS Case No 152 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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