

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62877 of 2019

Arising Out of PS. Case No.-128 Year-2019 Thana- OBRA District- Aurangabad

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1. Kalawati Devi W/o Sheo Narain Sao Resident of Village- Aranda, P.S.- Obra, District- Aurangabad.
 2. Sheo Narain Sao S/o Late Kedar Sao Resident of Village- Aranda, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 19-02-2020 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner no. 2, as during pendency of this case, petitioner no. 2 has already been arrested.

Prayer is allowed. The anticipatory bail petition of petitioner no. 2 is dismissed as withdrawn being infructuous.

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

The petitioner no.1 apprehends her arrest in **Obra P.S. Case No. 128 of 2019**, registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

The informant alleged that his daughter was



married with Pappu Sao in the year 2013. After marriage, the daughter of informant was subjected to mental and physical torture by her husband and in-laws. On 27.05.2019, Golden Kumar informed the informant that his daughter was done to death by administering poison to her by her husband and in-laws. Golden Kumar is grandson of informant.

It is submitted by learned counsel for the petitioner that there is general and omnibus allegation against this petitioner. Petitioner no. 1 is living separately with her son and has no manner of concern with the family affairs of deceased. Petitioner is an old lady aged about 68 years. Moreover, husband of the deceased and father-in-law have already been arrested. Charge-sheet has already been submitted and there is no allegation of tampering with the evidence against this petitioner.

Considering the facts aforesaid, Kalawati Devi petitioner no. 1 in the event of her arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned **Sub-Divisional Judicial Magistrate,**



Daudnagar, Aurangabad in connection with **Obra P.S. Case No. 128 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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