

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76760 of 2019

Arising Out of PS. Case No.-2414 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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LAICHI DEVI Wife of Satendra Sah @ Satyendra Shah Resident of Village -
Bakhraor Naoka Tola, Post Office - Kahla, P.S.- Barauli, District - Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Chanda Devi Wife of Umashankar Sah Daughter of Sri Asarfi Sah, Resident
of Village - Hirnda, P.S.- Kuchaikote, District - Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner being mother-in-law of the victim is
apprehending her arrest in Complaint Case no. 2414/2018 in
which cognizance has been taken under sections 498A, 323 of
the IPC and 3/ 4 of the D.P. Act.

Counsel for the petitioner submits that the petitioner
has falsely been implicated in this case. The fact is that
complainant's husband is earning his livelihood in the middle
east (Kuwait). Petitioner is female and her false implication is
based on extraneous consideration.

Petitioner as well as her husband before the court



below had offered to maintain the complainant with honour and dignity in the matrimonial home. From the order of the court below dated 13.09.2019, it is obvious that the complainant is insisting that her husband be called for from Kuwait.

Perusal of the FIR is further evident from the fact that no allegation whatsoever has been levelled against her husband.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the aforesaid submissions, prayer for anticipatory bail is allowed.

In the event of arrest/ surrender within four weeks from the date of receipt of a copy of the order in the court below, petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Gopalganj in Complaint Case no. 2414/2018 subject to the condition under section 438(2) Cr.P.C and other conditions.

(1) 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.



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

(Madhuresh Prasad, J)

s.hassan/-

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