

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77127 of 2019

Arising Out of PS. Case No.-185 Year-2018 Thana- MANSI District- Khagaria

NITU DEVI, W/o Babloo Yadav, Resident of Village- Saidpur, P.S.- Mansi,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 498 (A), 302, 201, 363/34 of the Indian Penal Code.

Prosecution case is that on the basis of written report of the informant against petitioner and others alleging therein that on 10.09.2018 at 7.00 hours informant received information regarding assault to his daughter Rubi Devi on which he along with others reached at village Saidpur and saw that accused persons were carrying away his daughter by Scorpio vehicle towards Amani. He followed accused persons but no trace. Informant has alleged that accused persons had committed murder of his daughter and have disposed of her dead body and also disappeared daughter of Rubi Devi. It has been further alleged that petitioner, husband of Rubi Devi has re-married in the year 2016 and thereafter all accused



persons have committed the alleged occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village rivalry. As per FIR, second marriage took in the year 2016 and at that time petitioner did not know that co-accused Babloo Yadav was married once. The husband of deceased is in jail custody since 28.11.2018 and the petitioner is the second wife of the deceased husband. The petitioner has no criminal history.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Khagaria in connection with Mansi P.S. Case No. 185 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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