

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86508 of 2019

Arising Out of PS. Case No.-899 Year-2018 Thana- BIHTA District- Patna

Renu Devi, Wife of Uma Shankar Prasad R/o - Shiv Shakti Nagar, P.S. -
Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Singh, Sr. Advocate
		Mr. Kamal Kishor Singh, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-06-2020 Heard Mr. Jitendra Singh, learned Senior Advocate for the petitioner and Mr. Ramchandra Prasad Singh, learned APP for the State.

The petitioner seek bail in anticipation of her arrest in connection with Bihta P.S. Case No. 899 of 2018 dated 10.08.2018 instituted for the offences under Sections 302 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The prayer for anticipatory bail of the petitioner was earlier rejected by a bench of this Court *vide* order dated 25.04.2019.

It appears from the FIR that the petitioner had exhorted her husband to resort to firing leading to death. Perhaps for this accusation, the anticipatory bail of the petitioner was rejected on an earlier occasion.



Mr. Singh while pressing the anticipatory bail has drawn the attention of this Court to two facts viz. (1) that despite the petitioner being sent up for trial, no cognizance was taken against her and secondly that even when the trial proceeded, no summons were issued to the petitioner to participate in the trial.

Considering the aforesaid submissions, it appears to this Court that presently there is no apprehension of the petitioner of being arrested.

In that view of the matter, I am not inclined to exercise my jurisdiction under Section 438(2) Cr.P.C.

Accordingly, the prayer for anticipatory bail is rejected.

(Ashutosh Kumar, J)

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