

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13652 of 2021

Arising Out of PS. Case No.-166 Year-2020 Thana- BAKHTIARPUR District- Saharsa

Babita Devi Wife of Sachchu Paswan Resident of Village- Nainapur, P.S.-
Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 22-11-2021 Let the defects, if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in a case
registered for the offence punishable under Section 304B/34 of
the Indian Penal Code.

Petitioner is a female and is neighbour of the family
of the victim of dowry death. In the FIR there is no allegation of
demand of dowry and torture against the petitioner.

Submission is that the petitioner is victim of over
implication. The petitioner has got no criminal antecedent.

Learned counsel for the informant opposed the prayer
for anticipatory bail. However, could not substantiate any direct



material against the petitioner.

Considering the facts aforesaid, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bakhtiyarpur P.S. Case No. 166 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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