

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26155 of 2020

Arising Out of PS. Case No.-97 Year-2019 Thana- PARSAUNI District- Sitamarhi

POONAM DEVI Wife of Jitendra Singh Resident of Village- Balaha, P.S.-
Parsauni, District- Sitamarhi

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 18-01-2021

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

This Court would expect that the petitioner's Counsel
would honour his undertaking in the instant proceedings regarding
supply of requisite court fee etc. within two weeks from the date he
is called upon to do so by the office.

Petitioner apprehends arrest in Parsauni PS Case No. 97
of 2019 registered under Sections 304(B) and 201/34 of the IPC.

The petitioner is mother-in-law of the victim. The FIR is
alleging offence under Section 304(B) IPC against the husband and
all the family members.

Learned Counsel for the petitioner submits that there is no
specific allegation against the petitioner. Being the mother-in-law by
virtue of her relationship she has been implicated and it is also
submitted that the husband is already in custody. Submission is that
the prosecution case is false as the victim has suffered in course of
certain illness.

Learned APP for the State has opposed the prayer for
anticipatory bail.

Having considered the rival submissions this Court is
inclined to grant the privilege of anticipatory bail to the petitioner.



Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar, Judicial Magistrate, 1st Class, Sitamarhi in Parsauni PS Case No. 97 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) 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.

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

(Madhuresh Prasad, J)

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