

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23281 of 2020

Arising Out of PS. Case No.-142 Year-2020 Thana- KOTWALI District- Patna

PRABHA HARLALKA @ PRABHA DEVI HARLALKA W/o Late Sajjan Harlalka Resident of Flat No. 202, Saket Plaza, Jamal Road, P.S.-Kotwali, P.O.-G.P.O., Patna-800001.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Nishtha Kumari W/o Ashish Harlalka, D/o Vijay Kumar Bhagat Resident of Main Road, Village, P.O. and P.S.-Simri Bakhtiyarpur, District-Saharsa, Pin Code-852127.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubham Bajaj, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar Mouar, APP
For the O.P. No. 2	:	Mr. Raj Krishan Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 09-08-2021 Heard Mr. Shubham Bajaj, learned Advocate for the petitioner and Mr. Raj Krishan Jha for the informant.

The State is represented by Mr. Arvind Kumar Mouar, learned APP for the State.

The petitioner seeks bail in anticipation of her arrest in connection with Kotwali P.S. Case No. 142 of 2020 dated 26.02.2020 instituted for the offences under Sections 323, 324, 341, 342 and 498(A)/34 of the Indian Penal Code.

It has been urged on behalf of the petitioner



that she is the mother-in-law of opposite party no. 2 and the accusation against her is absolutely general and omnibus in nature. Merely because the petitioner is the mother of the husband of opposite party no. 2, that she has been made accused in this case. The husband of opposite party no. 2 (son of the petitioner) has already been granted anticipatory bail by a Bench of this Court vide order 12.07.2021 passed in Cr. Misc. No. 28378 of 2021.

Mr. Raj Krishan Jha, learned Advocate for the informant, however, has submitted that the brief has been taken away from him and he has no instructions in the matter as of now. Since his name had been appearing in the cause-list, he thought it in his wisdom to inform this fact to this Court.

Regard being had to the general and omnibus nature of accusation against the petitioner and the husband of opposite party no. 2 having been released on anticipatory bail, the petitioner is directed to be released



on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on her furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 142 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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