

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25239 of 2020

Arising Out of PS. Case No.-704 Year-2019 Thana- SAHARSA District- Saharsa

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MALA DEVI, wife of Shrawan Sah, daughter of Chandreshwari Sah, resident of Naiyar, P.S. Saharsa, District Saharsa, at present resident of Bengaha, P.S. Saharsa, District Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Jalan, Advocate
For the Opposite Party/s : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 12-03-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner apprehends her arrest for the offences alleged under Sections 304(B), 201/34 of the Indian Penal Code registered in connection with Saharsa P.S. Case No. 704 of 2019.

3. It is submitted that the petitioner has been falsely implicated only to cause harassment as the petitioner is the estranged first wife of the husband of the deceased, who in any event lives separately. The accusation of dowry demand and any participation in the alleged occurrence is highly improbable. No specific accusation has been made against the petitioner. Other co-accused Vimal Devi (mother-in-law) has been granted anticipatory bail by this Court in Cr. Misc. No. 36 of 2020 (Annexure-3). So also, Bajrangi Sah and Shiv Shankar Sah, father-



in-law and brother-in-law respectively of the deceased have also been granted bail by this Court in Cr. Misc. No. 83249 of 2019 (Annexure-2). The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special S.C/S.T. Court, Saharsa in connection with Saharsa P.S. Case No. 704 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. if she is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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