

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52697 of 2021

Arising Out of PS. Case No.-86 Year-2015 Thana- SIKTI District- Araria

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1. GURIYA DEVI @ GUDHIA DEVI WIFE OF JAGARNATH TATMA R/O VILLAGE- JAGIR PIPRA, P.S.- SIKTY, DISTRICT- ARARIA
 2. SANTOSH TATMA @ SANTOSH KR. TATMA SON OF JAGARNATH TATMA R/O VILLAGE- JAGIR PIPRA, P.S.- SIKTY, DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2021 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 2 namely, Santosh Tamta @ Santosh Kumar Tamta as during pendency of this application, he has been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner No. 2 namely, Santosh Tamta @ Santosh Kumar Tamta is dismissed as withdrawn.

The petitioner No. 1 is apprehending her arrest in Sikty (Bardaha) P.S. Case No. 86 of 2015 registered under Section



304B/34 of the Indian Penal Code.

Allegation against the petitioner No. 1 is of committing torture and causing death of the victim due to non-fulfillment of demand of dowry.

Earlier prayer for anticipatory bail of the petitioner No. 1 was rejected vide Annexure-1 to the present application.

It has been submitted on behalf of petitioner No. 1 that she is 75 years old. The petitioner No. 1 is mother-in-law of the deceased. So far other accused persons i.e. husband and others are concerned, they have been acquitted by the trial court.

I find no reason to interfere with the earlier order passed by the coordinate bench (then His Lordships was) of this court vide Annexure-1 to the present application.

Accordingly, this anticipatory bail application stands dismissed with regard to petitioner No. 1 also.

If the petitioner No. 1 surrenders and seeks regular bail, the court below will look into the order/judgment of acquittal in respect of other accused persons in the present case and pass an appropriate order in accordance with law.

(Sudhir Singh, J)

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