

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2804 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- SARE District- Nalanda

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1. DINESH PRASAD Son of Ayodhya Mahto Resident of Village - Dayamchak, P.S. - Sare, District - Nalanda
 2. Chinta Devi Wife of Dinesh Prasad Resident of Village - Dayamchak, P.S. - Sare, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-07-2021 Mr. Raj Kishor Prasad, learned Advocate for the petitioners seeks permission to withdraw the application of petitioner no. 1 (Dinesh Prasad) who has been arrested.

The application on behalf of petitioner no. 1 is dismissed as having become infructuous.

The petitioner no. 2 (Chinta Devi) seeks bail in anticipation of her arrest in connection with Sare P.S. Case No. 37 of 2020 dated 12.04.2020 instituted for the offences under Sections 304B, 201 and 34 of the Indian Penal Code.

She is the mother-in-law of the deceased.

It has been submitted on behalf of petitioner no. 2 that the deceased and her husband were staying



separately and the petitioner no. 2 did not have any control over the affairs. The FIR also has been lodged after two days' delay without any plausible explanation.

Apart from this, it has been submitted that all the accusations have been levelled against the husband of the deceased, who was taken into custody but after facing trial, he has now been acquitted.

The investigation with respect to petitioner no. 2 is still continuing.

For the facts stated above, the petitioner no. 2 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, Nalanda at Biharsharif in connection with Sare P.S. Case No. 37 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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