

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2976 of 2021

Arising Out of PS. Case No.-869 Year-2018 Thana- KHAGARIA District- Khagaria

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PUSPA SAH Widow of Late Sushil Sah Resident of Village - Rahua Rajaram,
P.S.- Mushari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioner is apprehending her arrest in a case registered under Sections 504, 506, 498A and 34 of the Indian Penal Code and Sections 67 and 72 of I.T. Act.

Prosecution case, in short, is that the informant was married to the son of the petitioner, namely, Deepak Kumar and the petitioner as well as his son in conspiracy with each other in order to diminish the dignity and prestige of the informant and her family members always made physical and mental torture to the informant and the son of petitioner always sent immoral and

bad messages on her whatsapp and facebook.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a lady. She happens to be the mother-in-law of the victim. On the earlier occasion, a similar case was instituted by the victim against the petitioner and her family members. The offences are triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. case No.869 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall

furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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