

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15729 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- NAUTAN District- Siwan

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MOST CHANDRAVATI KUWAR W/o late Nandji Yadav Resident of Village
- Siswa, P.S.- Nautan, Distt.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Ajay Mishra, Advocate
For the State	:	Mr.Upendra Kumar, APP
For the informant	:	Mr.Javed Aslam, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-01-2022 Due to the third wave of COVID-19 Pandemic, the

matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant through
virtual mode.

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

The petitioner is apprehending her arrest in
connection with Nautan P.S. case No.137 of 2020 registered
under Sections 302/34 of the Indian Penal Code.



Prosecution case, in short, is that the accused persons committed murder of the sister of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. 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 the mother-in-law of the deceased. She is separate in mess and property from the husband of the deceased. She has got no concern with the alleged occurrence. She is a lady. The husband of the deceased is in custody.

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

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.



Considering the facts and circumstances, 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 Judicial Magistrate, Siwan in connection with Nautan P.S. case No.137 of 2020, 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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