

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13027 of 2022

Arising Out of PS. Case No.-193 Year-2015 Thana- BARAULI District- Gopalganj

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1. MAHESH MAHTO Son of Late Shri Kishun Mahto Resident of Village- Belsand, P.s.- Barauli, Distt.- Gopalganj.
 2. SUNDRI DEVI W/o Mahesh Mahto Resident of Village- Belsand, P.s.- Barauli, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Nitu Kumari, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

At the very outset, learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.1, as during its pendency, he has been apprehended by the police.

Accordingly, this application with regard to petitioner no.1 is dismissed as withdrawn.



Now, it is being heard for consideration of anticipatory bail on behalf of petitioner no.2 only.

Petitioner apprehends her arrest in a case registered for the offence punishable u/s 304(B) and 34 of the IPC.

Allegation against the petitioner is that she along with other FIR named accused persons are involved in commission of murder of the informant's daughter.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that petitioner no.2 is the mother-in-law of the deceased and only on suspicion, she has been made accused in this case. The daughter of the informant has died due to illness. There is no eye-witness to the alleged occurrence and the husband of the deceased is already in judicial custody. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner no.2, be released on bail, in the event of her arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Barauli P.S. Case No.193 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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