

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39946 of 2021

Arising Out of PS. Case No.-178 Year-2021 Thana- MASHRAK District- Saran

SHAIL DEVI Wife of Om Prakash Singh Resident of village Near High School, Mashrakh, P.S. Mashrakh, District Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar alias Sanidh, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned APP
for the State 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.

The petitioner is apprehending her arrest in a case registered under Sections 306/34 of the Indian Penal Code.

Prosecution case, in short, is that the informant's daughter was married with Sanjiv Kumar Singh, son of the petitioner and after few days of marriage the accused persons including the petitioner used to demand money and torture her. On 30.03.2021 at 1.30 p.m. the informant was informed by grand daughter that the accused persons including the petitioner have killed her mother by tying her neck by means of rope.

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 been made accused due to mistake of fact. The petitioner happens to be 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. There is no allegation of abetment alleged against this petitioner. Hence, no offence under Section 306 of I.P.C. is attracted in this case. The petitioner is a lady.

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, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Smt. Anupma, J.M. 1st class, Chapra at Saran in connection with Mashrakh P.S. case No.178/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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