

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68797 of 2021

Arising Out of PS. Case No.-162 Year-2021 Thana- RAXAUL District- East Champaran

SHRIMATI DEVI @ SHRIMATI SHREE DEVI Wife of Rameshwar Prasad
Resident of Village - Chawal Bazar, Ward No.- 21, Raxaul, P.S.- Raxaul,
District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 328 and
304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is mother-in-law
of the deceased. It is next submitted that the husband and the
father-in-law of the deceased were taken into custody and they
after full-fledged trial were acquitted by the learned court below.
Learned counsel next submits that presently he only had
instruction that they have been acquitted but does not have the



copy of the order. It is, thus, submitted that since the husband and the father-in-law of the deceased have been acquitted in a full fledged trial, as such, no useful purpose would be served by sending the petitioner behind the bar.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that a bald statement has been made that the husband and the father-in-law of the deceased have been acquitted in the trial as no order has been produced.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees 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 Raxaul P.S. Case No. 162 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned court below before accepting the bail bond of the petitioner shall verify as to whether the father-in-law and the husband of the deceased have been



acquitted in trial or not. In the event, if they have not been acquitted then the present order will not be acted upon and if they have been acquitted then the bail bond of the petitioner shall be accepted expeditiously.

(Satyavrat Verma, J)

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