

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70873 of 2021

Arising Out of PS. Case No.-138 Year-2021 Thana- BAKHTIARPUR District- Saharsa

SUNITA DEVI Wife of Mahendra Das Resident of Village - Bareba Tola
Ward No.- 14, P.S.- Bakhtiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-08-2022 Heard the parties.

The petitioner apprehends her arrest in a case registered for the offence punishable under section 304(B), 201, 120(B) of the Indian Penal Code.

Allegedly, the petitioner along with others killed the daughter of the informant by strangulating her and cremated the dead body. The accused persons were torturing her for dowry. It is further alleged that the petitioner had illicit relation with the husband of the deceased.

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 due to enmity. 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. She is neither the family member of the deceased nor she has any concern with husband of the deceased or his family. Her name transpired in the present case merely on suspicion. There is no specific overt act against the petitioner. The husband of the deceased is already in judicial custody. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner 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 Bakhtiyapur P.S. Case No.138 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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