

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50828 of 2022

Arising Out of PS. Case No.-38 Year-2021 Thana- CHAKIA District- East Champaran

SINDHU DEVI W/O RAJIV PANDEY Resident of village- Nagargawan,
P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 04-01-2023 Heard Mr. Ranjeet Kumar Singh, the learned

Advocate for the petitioner and Mr. Dilip Kumar, the

learned counsel for the State.

The petitioner had earlier come up before this

Court for grant of anticipatory bail but the application

was withdrawn.

Later, again an application was filed with a clear

statement that she had never consented for her

application to be withdrawn.

Based on such statement, the application was

entertained for the second time.

The petitioner is a mother-in-law who has been



made accused in Chakia P.S. Case No. 38/2021,G.R.
No.- 1172/2021 instituted for the offences under
Sections 304(B), 120(B) and 34 of the Indian Penal
Code.

The husband of the petitioner (father-in-law of
the deceased) was granted bail and he had faced trial in
which he has been acquitted.

The husband of the deceased remained in
custody for the entire trial period but in the absence of
any positive evidence against him, he too has been
acquitted.

Nonetheless, the petitioner remains an accused
who has not yet faced trial.

Under the aforesaid circumstances, this Court
directs that in case the petitioner surrenders before the
court below, she will be granted bail subject to her
furnishing bail bonds in the sum of Rs. 10,000/- (Ten
Thousand) each with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial



Magistrate, East Champaran at Motihari in connection with Chakia P.S. Case No. 38/2021 and an undertaking by her that she shall present herself for framing of charge for her to be tried.

The occasion for passing such order is that all the accused persons including the husband of the deceased have been acquitted, but for some reason or the other, the petitioner could not surrender to the process of law.

The Court has also taken note of the fact while passing this order, that her anticipatory bail earlier was mistakenly withdrawn without her consent.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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