

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71592 of 2023

Arising Out of PS. Case No.-120 Year-2020 Thana- BIBHUTIPUR District- Samastipur

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Feknee Devi Alias Fekni Devi, aged about 50 years, female, Kishun Sah,
Resident of Village Sirsi, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 22-12-2023 Heard the counsel for the parties.

2. The petitioner/Feknee Devi @ Fekni Devi has

filed this application for grant of anticipatory bail for the

second time.

3. The petitioner seeks bail in anticipation of

her arrest in connection with Bibhutipur P.S. Case No.

120 of 2020, dated 29.05.2020, instituted for the

offences under Sections 201, 304-B and 34 of the



Indian Penal Code.

4. It appears from the order dated 07.02.2022 by which the earlier application of the petitioner was rejected in Cr. Misc. No. 13017 of 2021 that her application was not considered favourably for the reason that the husband of the deceased has not surrendered to the process of law.

5. The learned counsel for the petitioner submits that the husband has now surrendered and is in custody. Apart from this, it has been submitted that the Trial has yet not proceeded and no useful purpose would be served in making the petitioner go to jail and then seek bail. It has also been submitted that there is no specific accusation against her.

6. The petitioner is the mother-in-law of the deceased.

7. Regard being had to the facts afore-stated and taking into account the gender and the age of the petitioner/Feknee Devi @ Fekni Devi, she, in the event



of her arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 120 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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