

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70691 of 2022

Arising Out of PS. Case No.-102 Year-2022 Thana- SAHAR District- Bhojpur

1. Sanfula Devi Wife of Bindeshwar Bind R/O Village- Karwasin Satyare Tola, P.S.- Ajimabad, District- Bhojpur (ARA)
2. Mukesh Chaudhary Son of Bindeshwar Chaudhary R/O Village- Karwasin Satyare Tola, P.S.- Ajimabad, District- Bhojpur (ARA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2023 After short argument, learned counsel appearing on behalf of the petitioners seek permission to withdraw the prayer of anticipatory bail of petitioner no. 2, namely, Mukesh Chaudhary for the present.

Request allowed.

Accordingly, the prayer of bail of petitioner no. 2, namely, Mukesh Chaudhary stands dismissed as withdrawn.

Now, the present anticipatory bail application is limited with petitioner no. 1, namely, Sanfula Devi only.

Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.



Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioner is named in the F.I.R. and apprehend his arrest in connection with Sahar P.S. Case No. 102 of 2022 registered for the offences punishable under Sections 364, 302, 201 and 120-B of the Indian Penal Code (in short 'I.P.C.').

The allegation against this petitioner is to commit murder of son of the informant alongwith family members/co-accused by causing head injuries due to enmities arises out of love affairs of deceased with the daughter of this petitioner.

Learned counsel appearing on behalf of the petitioner submitted that implication of this petitioner is only being the mother of the girl, who alleged to be in love affairs with deceased. It is submitted that allegation to call deceased to village/home is available against the daughter of petitioner. It is also submitted that informant is not the eye witness of the occurrence and moreover, the dead body of deceased found in an open area like *badhar* accessible by general public. While concluding the argument it is submitted that petitioner is a lady of clean antecedent.

Learned APP duly assisted by learned counsel, Mr.



Raju Kumar Singh, appearing on behalf of the informant conceded that petitioner is the mother of girl, who called deceased to her village/home, who was murdered subsequently.

Considering the aforesaid facts and circumstances as mentioned above, as petitioner is a lady of clean antecedent, let the above named petitioner, in the event of her arrest or surrender before the court below within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Ara/concerned Court, where the case is pending in connection with Sahar P.S. Case No. 102 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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