

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30841 of 2024

Arising Out of PS. Case No.-348 Year-2023 Thana- BHELDI District- Saran

1. Sheo Pujan Rai, Son of Sheo Nath Rai Resident of Vill.-Maksudpur, P.S.- Bheldi, Distt.-Saran
2. Saraswati Devi, Wife of Sheo Pujan Rai Resident of Vill.-Maksudpur, P.S.- Bheldi, Distt.-Saran
3. Nisha Kumari, D/O Sheo Pujan Rai Resident of Vill.-Maksudpur, P.S.- Bheldi, Distt.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Yadav

For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-04-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The learned counsel for the petitioners, after some argument, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1, namely, Sheo Pujan Rai and petitioner no.2, namely, Saraswati Devi.

3. Permission is accorded.

4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.1, namely, Sheo Pujan Rai and petitioner no.2, namely, Saraswati Devi.

5. The petitioner no.3 seeks bail in anticipation of her



arrest in a case registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

6. The learned counsel for the petitioner submits that the petitioner no.3 is unmarried sister in-law of the deceased. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation against this petitioner is general and omnibus in nature. It is further submitted that the husband of the deceased is in custody.

7. Learned A.P.P. Sri Chandra Bhushan Prasad submits that it is a case registered under Section 304(B) of the I.P.C. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it manifests that the body was even disposed of without informing the informant and her family members and the occurrence took place within seven years of marriage, as such, the presumption is that the husband along with his family members committed the occurrence, but then, fairly submits that as far as this petitioner is concerned, the allegation against her is general and omnibus in nature.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.3, namely, Nisha Kumari, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is



directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XI, Saran at Chapra in connection with Bheldi P. S. Case No.348 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

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