

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48664 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- MAHNAR District- Vaishali

Punam Devi Wife Of Jamun Singh Resident Of Village- Mahnar, Ward No. 07, Pyasa Gali, P.S.- Mahnar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-09-2024 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Mahnar P.S. Case No.34 of 2024 under Sections 304/313 and 34 of the Indian Penal Code.

3. Learned Counsel for the petitioner submits that on previous occasion, vide order dated 08.08.2024, provisional bail was granted to the petitioner and case diary along with post-mortem report have been called for.

4. Learned Counsel for the petitioner further submits that the case diary shall support the case of the petitioner and his specific plea is that the death of the deceased did not cause at the place of the petitioner. He further submits that it is true that the petitioner has visited to her house for taking advice and after providing the first aid, she has referred the deceased to the



Hospital where she died.

5. Learned Counsel also submits that antecedent of the petitioner is not clean. There is one criminal case pending against her in which she is on bail.

6. Learned APP for the State opposes the prayer for bail and submits that from the case diary, it become crystal clear that the petitioner is responsible for the said crime as she had tried to abort the deceased having 5 months pregnancy at her house and when her condition was deteriorated then matter was referred to hospital where she died.

7. In the present facts and circumstances and upon perusal of the case diary, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected and the provisional bail granted to the petitioner is hereby cancelled.

8. However, trial court is directed to consider the regular bail application of the petitioner, if she surrenders within 6 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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