

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10162 of 2015

Arising Out of PS.Case No. -107 Year- 2014 Thana -PATEPUR District- VAISHALI(HAJIPUR)

=====

1. Kiran Devi W/o Late Naresh Choudhary Resident of Village - Sahwajpur
Puraina, P.S. - Palipur, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Ram Shankar Das(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 17-03-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Patepur P.S. Case No. 107 of 2014 registered for the offence under Sections-302/34 of the Indian Penal Code and 3(2)(v) of SC/ST Act.

The petitioner happens to be mother-in-law of the deceased and according to prosecution case itself, the deceased had solemnized her love marriage with son of the petitioner in the year, 2013 and she died on 03-08-2014 whereas; the present case was registered on 04-08-2014.

The contention on behalf of the petitioner is that the deceased was suffering from several ailments and she died in



course of her treatment, which is evident from perusal of Annexure-2 series to this petition. He also points out that before her death, she was taken to a private clinic, where she was found dead and the concerned doctor issued death certificate of the deceased on 03-08-2014 which has been annexed at Annexure-3 to this petition. It is further contended on behalf of the petitioner that as a matter of fact, the son of the petitioner solemnized his love marriage with the deceased and in connection with the aforesaid marriage, the then Officer-in-charge of Patepur Police Station and some others came at the house of the petitioner and not only demolished some portion of the house but also assaulted the petitioner for which, the petitioner filed complaint case bearing Complaint Case No. 352 of 2013 on 09-10-2013 and after filing of the aforesaid complaint case, unfortunately, daughter-in-law of the petitioner died in course of her treatment and taking advantage of death of the deceased, the local police managed the informant and got instituted this false case.

Considering the aforesaid facts and circumstances as well as submission of the parties, in the event of her arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten

thousand) with two sureties of the like amount each in connection with Patepur P.S. Case No. 107 of 2014 to the satisfaction of Sub Divisional Judicial Magistrate, Vaishali at Hajipur subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

U		T	
---	--	---	--