

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35477 of 2014

Arising Out of PS.Case No. -74 Year- 2014 Thana -BIKRAM District- PATNA

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1. Usha Devi Wife of Shyamdeo Singh, resident of village- Hathsar, P.S.-
Bikram, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3. 23-03-2015. Heard learned counsels for the petitioner, the informant
and also learned A.P.P. for the State.

Petitioner apprehends her arrest in a case under section
302 and other sections of the I.P.C.

The brother of the deceased alleged that his sister was
married with one Sumant Kumar in the year 2000. His brother-in-
law got service after the marriage, i.e why father-in-law and
mother-in-law of the deceased were subjecting his sister to
physical and mental torture and they burnt her to death.

Shri N.K. Agrawal, learned Senior Counsel, has
submitted that the petitioner is mother-in-law of the deceased and
there is no specific allegation that she burnt her daughter-in-law.
The police, after four or five months of the occurrence, recorded
the statement of the daughter and son of the deceased, who
disclosed that the petitioner and her husband sprinkled kerosene
oil and set their mother on fire. The statements are belated, i.e why
the Investigating Officer, submitted chargesheet under section 306

IPC. The father-in-law has already been granted bail. The petitioner is a lady.

On the other hand, learned counsels for the informant and learned A.P.P. have vehemently opposed the prayer for anticipatory bail.

On perusal of record, it appears that the Investigating Officer has taken the statements of the daughter and son of the victim at a very belated stage although they are the eye witnesses and they have very categorically stated that the petitioner and her husband sprinkled kerosene oil and ignited fire in the body of the deceased.

Considering the facts and nature of allegations, I am not inclined to enlarge the petitioner on anticipatory bail and accordingly, the same is rejected.

Let the petitioner surrender in the court below and pray for grant of regular bail and the court below shall consider the same without being prejudiced of this order.

(Prabhat Kumar Jha, J.)

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