

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39899 of 2014

Arising Out of PS.Case No. -390 Year- 2008 Thana -SITAMARHI District- SITAMARHI

Usha Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar-Advocate

For the Opposite Party/s : Mr. Anil Pd.Singh (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 14-05-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Laxman Paswan, father of deceased, Poonam Devi
filed written report on account of having his daughter murdered at
her *Sasural*, which he was telephonically informed.

During course of investigation, the dead body was
searched out and up-till-now, on account of absence of F.S.L.
Report, the cause of death has not been examined.

So far complicity of petitioner is concerned, learned
counsel for the petitioner has submitted that she is not named in
the first information report. She happens to be sister in-law
(Bhabhi) of Sharmila Devi, resident of different village and in the
aforesaid background, she has purposely been dragged. Apart
from this, it has also been submitted that no specific allegation has
been attributed against the petitioner.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

During course of investigation, Bhikhani Devi, mother in-law of deceased had stated that her husband, Bhikhari Paswan had misbehaved with the deceased on account thereof, an altercation was going on, during midst thereof, Sharmila Devi came and began to assault the deceased as well as Bhikhari Paswan. Subsequently thereof, Kusumi Devi and Usha Devi also gone inside the room of deceased and they all assaulted her. Subsequently thereof, they lifted the dead body and proceeded towards river in order to dispose it of and that has been corroborated by another witness recorded under Paragraph-19 of the case diary. Furthermore, the occurrence is of the year 2008 and petitioner has got no cogent explanation. Apart from this, as per Paragraph-97 of the supplementary case diary, processes under Section 82 of the Cr.P.C. had already been taken up by the Investigating Officer against the petitioner and others.

In the aforesaid facts and circumstances of the case, I do not see it a fit case for grant of anticipatory bail. Accordingly, prayer of petitioner for anticipatory bail is rejected.

(Aditya Kumar Trivedi, J)

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